

# HOUSE JOURNAL

OF THE

## Forty-Ninth Legislature

OF THE

# STATE OF WASHINGTON

AT

## Olympia, the State Capitol

VOLUME I

**1985 Regular Session**

**Convened January 14, 1985**

**Adjourned Sine Die April 28, 1985**

**1985 Special Session**

**Convened, June 10, 1985**

**Adjourned Sine Die June 11, 1985**



---

**Wayne Ehlers, Speaker**  
**John L. O'Brien, Speaker Pro Tempore**  
**Dennis L. Heck, Chief Clerk**  
**Sharon L. Case, Assistant Chief Clerk**  
**Eljo Sutherland, Minute/Journal Clerk**



## INDEX

### VOLUME I

Regular Session, January 14, 1985 through

April 5, 1985 .....pages 1 - 1233

### VOLUME II

Regular Session, April 8, 1985 through

April 28, 1985 .....pages 1234 - 2265

1985 Special Session, June 10, 1985 through

June 11, 1985.....pages 2266 - 2295

Roster of Members .....pages 2298 - 2308

Veto Messages on House Bills.....pages 2322 - 2332

History of Bills .....pages 2333 - 2419

General Index .....pages 2420 - 2527

Compiled, Edited and Indexed by

Dennis L. Heck, *Chief Clerk*

Eljo Sutherland, *Minute/Journal Clerk*



## 1985 REGULAR SESSION

## FIRST DAY

## MORNING SESSION

House Chamber, Olympia, Wash., January 14, 1985

The Chief Clerk of the House of Representatives of the Forty-eighth Legislature, Dean R. Foster, called the House to order at 10:00 a.m.

The Chief Clerk requested the Sergeant at Arms to escort the Members-elect to seats on the floor of the House, as selections were played by the Washington Air National Guard Band.

The flag was escorted to the rostrum by the Color Guard from the Washington Army National Guard.

Prayer was offered by Sister Carol Wagner, SNJM, of Our Lady Queen of Heaven Church in Spanaway:

"Wondrous Creator, we praise and thank You for all the gifts You have given us.

"For the beauty of our state's golden wheat fields, blooming deserts and majestic mountains, WE PRAISE YOU.

"May we be good stewards making good decisions that will protect our environment as well as utilize its resources. For the keenness of our minds, for our ability to see and hear, WE THANK YOU.

"O Spirit of Wisdom and Understanding, give us insight that we may see clearly what is best for the good of all people. Teach us to listen with openness that we may hear fairly all sides. Enable us to legislate well on the many issues before us.

"For the presence of Your Son who became one with us in all but sin, WE PRAISE AND THANK YOU.

"Jesus, who calls us to love one another, help us in all our deliberations to be sensitive to the less fortunate, to work together in a loving manner, being led not by selfish interests or personal pride, but by the call deep within us to live Your gospel message of love and peace.

"Our Loving Creator, we offer You the worship of our minds, the thanks of our hearts, and the service of our persons. Accept us and our gifts. Bless our work in Your name. Grant to us the peace of Your presence and the joy of Your love.

"We praise and thank You through Jesus in the power of His Spirit who lives with us now and forever. Amen."

The Chief Clerk appointed Representatives Armstrong and Padden to escort The Honorable Orris Hamilton, retired Justice of the Supreme Court of the State of Washington, to the rostrum.

## MESSAGES FROM THE SECRETARY OF STATE

The Honorable Speaker of the House of Representatives  
Olympia, Washington

Mr. Speaker:

I, Ralph Munro, 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 Representative at the State General Election held in the State of Washington on the sixth day of November, 1984, as shown by the official returns of said election now on file in the office of the Secretary of State:

DISTRICT	NAME	COUNTIES REPRESENTED
No. 1	Nancy S. Rust	King, part, and Snohomish, part

No. 1	Grace Cole	King, part, and Snohomish, part
No. 2	Wayne Ehlers	Pierce, part, and Thurston, part
No. 2	Ken Madsen	Pierce, part, and Thurston, part
No. 3	Bill Day, Jr.	Spokane, part
No. 3	Dennis A. Dellwo	Spokane, part
No. 4	Ren Taylor	Spokane, part
No. 4	Mike Padden	Spokane, part
No. 5	B. Jean Silver	Spokane, part
No. 5	Richard H. Barrett	Spokane, part
No. 6	James E. West	Spokane, part
No. 6	R. M. "Dick" Bond	Spokane, part
No. 7	Steve Fuhrman	Ferry, Lincoln, Okanogan, part, Pend Oreille, Spokane, part and Stevens
No. 7	Tom Bristow	Ferry, Lincoln, Okanogan, part, Pend Oreille, Spokane, part, and Stevens
No. 8	Ray Isaacson	Benton, part
No. 8	Shirley W. Hankins	Benton, part
No. 9	Darwin R. Nealey	Adams, part, Asotin, Columbia, Garfield, Franklin, part, and Whitman
No. 9	Eugene A. Prince	Adams, part, Asotin, Columbia, Garfield, Franklin, part, and Whitman
No. 10	Simeon "Sim" Wilson	Island, Skagit, part, and Snohomish, part
No. 10	Mary M. Haugen	Island, Skagit, part and Snohomish, part
No. 11	June Leonard	King, part
No. 11	Eugene V. Lux	King, part
No. 12	Clyde Ballard	Chelan, Douglas, Grant, part, Kittitas, part, and Okanogan, part
No. 12	Earl F. Tilly	Chelan, Douglas, Grant, part, Kittitas, part, and Okanogan, part
No. 13	Glyn Chandler	Adams, part, Grant, part, Kittitas, part, and Yakima, part
No. 13	Curtis P. Smith	Adams, part, Grant, part, Kittitas, part, and Yakima, part
No. 14	Shirley Doty	Yakima, part
No. 14	Jim Lewis	Yakima, part
No. 15	Margaret Rayburn	Benton, part, and Yakima, part
No. 15	Forrest Baugher	Benton, part, and Yakima, part
No. 16	Peter T. Brooks	Benton, part, Franklin, part, and Walla Walla
No. 16	R. "Doc" Hastings	Benton, part, Franklin, part, and Walla Walla
No. 17	Dennis L. Heck	Clark, part, Klickitat, and Skamania
No. 17	Dean A. Sutherland	Clark, part, Klickitat and Skamania
No. 18	Linda A. Smith	Clark, part, and Cowlitz, part
No. 18	Joe Tanner	Clark, part, and Cowlitz, part
No. 19A	Bob Williams	Cowlitz, part and Wahkiakum, part
No. 19B	Bob Basich	Grays Harbor, part, Pacific, and Wahkiakum, part
No. 20	Glen Dobbs	Lewis, and Thurston, part
No. 20	J. Vander Stoep	Lewis, and Thurston, part
No. 21	Katherine Allen	Snohomish, part
No. 21	Gary A. Nelson	Snohomish, part
No. 22	Jolene Unsoeld	Thurston, part
No. 22	Jennifer Belcher	Thurston, part
No. 23	Paul Zellinsky	Kitsap, part
No. 23	Karen Schmidt	Kitsap, part
No. 24	Richard E. Fisch	Clallam, Grays Harbor, part, and Jefferson
No. 24	Jim Hargrove	Clallam, Grays Harbor, part, and Jefferson
No. 25	George W. Walk	Pierce, part
No. 25	Dan Grimm	Pierce, part
No. 26	Linda C. Thomas	Kitsap, part, and Pierce, part
No. 26	Bill Smitherman	Kitsap, part, and Pierce, part
No. 27	Ruth Fisher	Pierce, part

No. 27	Art Wang	Pierce, part
No. 28	Shirley Winsley	Pierce, part
No. 28	Sally Walker	Pierce, part
No. 29	P. J. Gallagher	Pierce, part
No. 29	Brian Ebersole	Pierce, part
No. 30	Dick Schoon	King, part, and Pierce, part
No. 30	Jean Marie Brough	King, part, and Pierce, part
No. 31	Mike Todd	King, part, and Pierce, part
No. 31	Ernest F. Crane	King, part, and Pierce, part
No. 32	Joanne Brekke	King, part
No. 32	Dick Nelson	King, part
No. 33	Lorraine A. Hine	King, part
No. 33	Richard O. Barnes	King, part
No. 34	Bruce Addison	King, part
No. 34	Georgette Valle	King, part
No. 35	Doug Sayan	Grays Harbor, part, Kitsap, part, Mason, and Thurston, part
No. 35	Max Vekich	Grays Harbor, part, Kitsap, part, Mason and Thurston, part
No. 36	Helen Sommers	King, part
No. 36	Seth Armstrong	King, part
No. 37	John L. O'Brien	King, part
No. 37	Gary F. Locke	King, part
No. 38	Richard King	Snohomish, part
No. 38	Patricia Scott	Snohomish, part
No. 39A	Karla Wilson	Snohomish, part
No. 39B	Dick van Dyke	Snohomish, part
No. 40	Homer Lundquist	San Juan, Skagit, part and Whatcom, part
No. 40	Patrick R. McMullen	San Juan, Skagit, part and Whatcom, part
No. 41	Joseph L. Williams	King, part
No. 41	Fred May	King, part
No. 42	Dennis Braddock	Whatcom, part
No. 42	Pete Kremen	Whatcom, part
No. 43	Janice Niemi	King, part
No. 43	Jesse Wineberry	King, part
No. 44	Jeanine H. Long	King, part, and Snohomish, part
No. 44	Paul H. King	King, part, and Snohomish, part
No. 45	John W. Betrozoff	King, part
No. 45	Louise Miller	King, part
No. 46	Marlin Appelwick	King, part
No. 46	Ken Jacobsen	King, part
No. 47	Bruce Holland	King, part
No. 47	Michael E. Patrick	King, part
No. 48	Steve Van Luven	King, part
No. 48	Paul Sanders	King, part
No. 49	Joseph E. King	Clark, part
No. 49	Busse Nutley	Clark, part

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Seal of the State of Washington at Olympia, this Fourteenth day of January, 1985. (Seal)

RALPH MUNRO,  
Secretary of State

## RESIGNATION OF MEMBER

January 10, 1985

The Honorable John Spellman  
Governor, State of Washington  
Legislative Building  
Olympia, Washington  
Dear Governor Spellman:

Having been nominated as Chief Clerk of the House of Representatives, I am herein tendering my resignation as State Representative, 17th District, effective Friday, January 11, 1985 at 10:00 a.m. It is understood that this resignation applies to my membership in the Forty-ninth Legislature.

Sincerely,  
Dennis L. Heck,  
State Representative

## APPOINTMENT OF MEMBER

January 11, 1985

Chief Clerk  
House of Representatives

A board composed of nine County Commissioners from Clark, Skamania and Klickitat counties, did in a public meeting, at Stevenson in the County of Skamania on January 11, 1985, appoint Kim Peery to fill the vacancy in the House of Representatives created by the resignation of Dennis Heck.

Signed by William Benson, Chairman; Ed Callahan, Commissioner; Harold Vandenberg, Commissioner; Skamania County.

John McKibben, Chairman; Vern Veysey, Commissioner; Dave Sturdevant, Commissioner; Clark County.

Daryl Spalding, Chairman; Fred Holly, Commissioner; Glenn Claussen, Commissioner; Klickitat County.

## ROLL CALL

The Clerk called the roll and all members were present.

## OATH OF OFFICE

Retired Justice Orris Hamilton administered the oath of office to the members of the House of Representatives.

## RESOLUTION

HOUSE FLOOR RESOLUTION NO. 85-1, by Representatives J. King and Barrett BE IT RESOLVED, That the House Rules Committee shall meet no later than Friday, January 18, 1985, the fifth legislative day, to consider and make a recommendation on permanent rules for the House of Representatives; and

BE IT FURTHER RESOLVED, That no later than Monday, January 21, 1985, the eighth legislative day, the House of Representatives shall meet to consider adoption of permanent rules for the Forty-ninth Legislature; and

BE IT FURTHER RESOLVED, That temporary House Rules for the Forty-ninth Legislature be adopted as follows:

PERMANENT TEMPORARY RULES  
OF THE  
HOUSE OF REPRESENTATIVES  
FORTY-EIGHTH NINTH LEGISLATURE  
19845  
(as adopted January 10 4, 1984 5)

## HOUSE RULE NO.

- |        |  |
|--------|--|
| RULE 1 | Definitions  |
| RULE 2 | Chief Clerk to Call to Order   |
| RULE 3 | Election of Speaker, Speaker Pro Tempore, Chief Clerk, Assistant Chief Clerk, and Sergeant at Arms |
| RULE 4 | Powers and Duties of the Speaker   |



RULE 5	Chief Clerk and Sergeant at Arms
RULE 6	Duties of Employees
RULE 7	Admittance to the Floor
RULE 8	Absentees and Courtesy
RULE 9	Bills, Memorials and Resolutions -- Introductions
RULE 10	Amendatory Bills -- Form
RULE 11	Reading of Bills
RULE 12	Amendments
RULE 13	Final Passage
RULE 14	Hour of Meeting, Roll Call and Quorum
RULE 15	Daily Calendar and Order of Business
RULE 16	Motions
RULE 17	Members Right to Debate
RULE 18	Rules of Debate
RULE 19	Ending of Debate
RULE 20	Voting
RULE 21	Method of Voting
RULE 22	Call of the House
RULE 23	Appeal from Decision of Chair
RULE 24	Committee and Membership
RULE 25	Duties of Committees
RULE 26	Free Conference Committee Report
RULE 27	Suspension of Compensation
RULE 28	Standing Rules Amendment
RULE 29	Smoking
RULE 30	Parliamentary Rules
RULE 31	Rules to Apply for Assembly

## DEFINITIONS

RULE 1. "Absent" means an unexcused failure to attend.

"Assembly" means the two-year term during which the members as a body may act.

"Session" means a constitutional gathering of the assembly in accordance with Article 2 § 12 of the State Constitution.

"Committee" means any standing or select committee of the house as so designated by rule or resolution.

"Measure" means terminology used to describe a bill, joint memorial or joint resolution.

## CHIEF CLERK TO CALL TO ORDER

RULE 2. It shall be the duty of the chief clerk of the previous assembly to call the assembly to order and to conduct the proceedings generally until a speaker is chosen.

## ELECTION OF SPEAKER, SPEAKER PRO TEMPORE, CHIEF CLERK, ASSISTANT CHIEF CLERK, AND SERGEANT AT ARMS

RULE 3. The house shall elect the following officers at the commencement of each assembly: Its presiding officer, who shall be styled speaker of the house, a speaker pro tempore, who shall serve in absence or in case of the inability of the speaker, a chief clerk of the house, an assistant chief clerk of the house and a sergeant at arms. Such officers shall hold office during all sessions until the convening of the succeeding assembly: PROVIDED, HOWEVER, That any of these offices may be declared vacant by the vote of a constitutional majority of the house, the members voting viva voce and their vote shall be entered on the journal. If any office is declared vacant the house shall fill such vacant office as hereinafter provided.

In all elections by the house a constitutional majority shall be required, the members shall vote viva voce and their vote shall be entered on the journal. (Art II § 27)

## POWERS AND DUTIES OF THE SPEAKER

RULE 4. The speaker shall have the following powers and duties:

(A) The speaker shall take the chair and call the house 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 and shall proceed with the order of business.

(B) The speaker shall preserve order and decorum, and in case of any disturbance or disorderly conduct within the chamber or legislative area, shall order the sergeant at arms to suppress the same, and may order the sergeant at arms to remove any person creating any disturbance within the house chamber or legislative area.

(C) The speaker may speak to points of order in preference to other members, arising from the seat for that purpose, and shall decide all questions of order subject to an appeal to the house by any member, on which appeal no member shall speak more than once without leave of the house.

(D) The speaker shall, in open session, sign all measures, acts and floor resolutions. (Art II § 32)

(E) The speaker shall sign all writs, warrants and subpoenas issued by order of the house, all of which shall be attested by the chief clerk.

(F) The speaker shall have the right to name any member to perform the duties of the chair, but such substitution shall not extend beyond adjournment, nor authorize the representative so substituted to sign any documents requiring the signature of the speaker.

(G) In appointing the committee members to standing committees, the speaker shall name members in the same ratio as the membership of the respective parties in the house. Committee members will be selected by each party's caucus. The majority party caucus will select all committee chairs.

Members of the Rules Committee will be selected in the same manner and same ratio as provided above, and the speaker will serve as the chair of the Rules Committee.

Other committee memberships will be selected by the respective caucuses, unless otherwise provided by law, on a basis of statutory and geographical representation; otherwise, the same ratio between the parties will prevail in the caucus election of other committee members.

Patronage will be divided proportionately by the party caucuses, following as closely as possible the ratio between the parties.

(H) The speaker shall have charge of and see that all officers, attaches, and clerks perform their respective duties.

(I) The speaker pro tempore shall exercise the duties, powers and prerogatives of the speaker in the event of the speaker's death, illness, removal, or inability to act, until the speaker's successor shall be elected.

## CHIEF CLERK AND SERGEANT AT ARMS

RULE 5. The chief clerk and sergeant at arms shall perform the usual duties pertaining to their offices, and they shall hold office until their successor has been elected.

The chief clerk shall employ, upon the recommendation of the employment committee and subject to the approval of the speaker, all other house employees; and the hours of duty and assignments of all house employees shall be under his directions and instructions, and they may be dismissed by him the chief clerk with the approval of the speaker. The speaker shall sign and the chief clerk shall countersign all payrolls and vouchers for all expenses of the house and transmit the same as is appropriate. The assistant chief clerk shall exercise the duties, powers and prerogatives of the chief clerk in the event of the chief clerk's death, illness, removal or inability to act until the chief clerk's successor shall be elected.

The sergeant at arms shall supervise all employees assigned to his the sergeant at arms' office.

## DUTIES OF EMPLOYEES

RULE 6. The staff of the house shall perform such duties as usually pertain to their respective positions in legislative bodies under the direction of the speaker, and such other duties as the house may impose upon them. Under no circumstances shall the compensation of any employee be increased for past services.

No house employee shall seek to influence the passage or rejection of proposed legislation.

#### ADMITTANCE TO THE FLOOR

RULE 7. It shall be the general policy of the house to keep the chamber clear as follows:

(A) Except as is provided otherwise in subsection (B) of this rule, the following persons shall be entitled to admittance to the third and fourth floor of the house chamber (excluding the galleries):

1. Senate officers and members of the senate.
2. Persons in the exercise of official duty directly connected with the business of the house.
3. Reporters who have been designated by the speaker and who have received press cards of admittance, subject to revocation.
4. Former members of the legislature not advocating any pending or proposed legislation, upon presentation of cards of admittance issued by the speaker and subject to revocation.
5. The immediate family of members, upon presentation of cards of admittance issued by the speaker or speaker pro tempore and subject to revocation, may be admitted when the house is not in session.
6. Other persons, upon presentation of cards of admittance issued by the speaker and subject to revocation, may be admitted except for one-half hour prior to the convening of each day's session and for one-half hour immediately following adjournment each day the house is in session.

(B) No lobbyist, Washington state employee or public official shall be admitted to the house chamber either when the house is convened into its daily session or one-half hour immediately prior to and following the convening of its daily session, except with the consent of the speaker.

(C) Lobbying in the house chamber or in any committee room or lounge room is prohibited at all times unless expressly permitted by the house or committee. Anyone violating this rule will forfeit his or her right to be admitted to the house chamber or any of its committee rooms.

#### ABSENTEES AND COURTESY

RULE 8. No member shall be absent from the service of the house without leave from the speaker. When the house is in session only the speaker shall recognize visitors and former members.

#### BILLS, MEMORIALS AND RESOLUTIONS --INTRODUCTIONS

RULE 9. Any member, member-elect or committee may introduce a bill, memorial or resolution commencing thirty days before a session, to and including the final day of that session: PROVIDED, That if such introduction is within the last ten days of a regular session, it cannot be considered without a direct vote of two-thirds (2/3) of all the members elected to each house with such vote recorded and entered upon the journal (Art. II § 36).

Introductions shall be filed with the chief clerk and shall be endorsed with a statement of the title and the name of the member, members, or committee introducing the same. Any member desiring to introduce a measure on or after the opening day of any session, shall file the same with the chief clerk not later than 12:00 (noon), on the day before the next convening session; and which measure shall be numbered and read on the next convening day, in the order filed. The chief clerk shall attach to all introductions a substantial cover bearing only the title and sponsors and shall number each introduction. All measures shall be printed unless otherwise ordered by the house.

Any measure introduced at any session during the assembly shall be eligible for action at all subsequent sessions during the assembly.

#### AMENDATORY BILLS --FORM

L RULE 10. Bills introduced in the house of representatives intended to amend existing statutes shall have the words underlined which are amendatory to such existing statutes. Any matter to be deleted from the existing statutes shall be indicated by lining out such matter with a broken line and enclosing the lined out

material within double parentheses, and no bill shall be printed or acted upon until the provisions of this rule shall have been complied with.

New sections need not be underlined but shall be designated "NEW SECTION," in upper case type and such designation shall be underlined.

#### READING OF BILLS

RULE 11. Every measure shall be read on three separate days: PROVIDED, That when only five (5) days remain before a session must end by law or three (3) days remain before a measure must be reported from the house of origin or opposite house as established by House concurrent resolution 32 as adopted on January 9, 1964 this rule may be suspended by a majority vote.

(A) First Reading. The first reading of a measure shall be by title only, unless a majority of the members present demand a reading in full.

After the first reading the measure shall be referred to an appropriate committee: PROVIDED, That house floor resolutions shall initially be referred to the rules committee.

Upon being reported back by committee, all measures shall go to the rules committee.

The rules committee may, by majority vote, refer any bill in its possession to a committee for further consideration. Such referral shall be reported to the house and entered in the journal under the fifth order of business.

(B) Second Reading. Upon second reading, the bill number and short title and the last line of the bill shall be read unless a majority of the members present shall demand its reading in full. The bill shall be subject to amendment section by section. No bills shall be considered on second reading unless a calendar of bills for second reading and copies of any amendment made by a committee have been distributed to each member no later than 8:00 p.m. on the second day preceding such consideration unless otherwise provided by the rules committee. No amendment shall be considered by the house until it shall have been sent to the desk in writing, distributed to the desk of each member and read by the clerk. All amendments adopted on the second reading shall be securely fastened to the original bill. All amendments rejected by the house shall be passed to the minute clerk, and the journal shall show the disposition of such amendments. When no further amendments shall be offered, the speaker shall declare the bill has passed its second reading.

(C) Substitute Bills. When a committee reports a substitute for an original bill, with the recommendation that the substitute pass, it shall be in order to read the substitute the first time and have the same printed.

A motion for the substitution shall not be in order until the second reading of the original bill.

(D) Recommitment of Bill. No amendments to a bill shall be received on its third reading but it may be referred or recommitted for the purpose of amendment.

(E) Third Reading. Only the last line of the bills on third reading shall be read unless a majority of the members present demand its reading in full.

#### AMENDMENTS

RULE 12. The right of any member to offer amendments to proposed legislation shall not be limited except as follows:

(A) Amendments to be Offered in Proper Form. The chief clerk shall furnish members with an appropriate form for amendments and all amendments offered shall bear the name of the member who offers the same, as well as the number and section of the bill to be amended.

(B) Committee Amendments. An amendment to a bill made by a committee shall be in writing and fastened to the original copy of the committee report.

When a bill is before the house on second reading, amendments adopted by committees and recommended to the house shall be acted upon by the house in the same manner as amendments that may be offered from the floor.

(C) Senate Amendments to House Bills. A house bill, passed by the senate with amendment or amendments which shall change the scope and object of the bill, upon being received in the house, shall be referred to appropriate committee and shall take the same course as for original bills.

(D) Amendments to be Germane. No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment; and no bill or resolution shall at any time be amended by annexing thereto or incorporating therein any other bill or resolution pending before the house.

(E) Scope and Object not to be Changed. No amendment to any bill shall be allowed which shall change the scope and object of the bill.

(F) No Amendment by Reference. No act shall ever be revised or amended without being set forth at full length.

#### FINAL PASSAGE

RULE 13. Rules relating to bills on final passage are as follows:

(A) Recommittment before Final Passage. A measure may be recommitted at any time before its final passage.

(B) Final Passage. No bill shall become a law unless on its final passage the vote be taken by yeas and nays, the names of the members voting for and against the same be entered on the journal of each house, and a majority of the members elected to each house be recorded as voting in its favor. (See also Constitution, Art. II § 22.)

(C) Bills Passed--Certification. When a bill shall pass, it shall be certified to by the chief clerk, said certification to show the date of its passage together with the vote thereon.

#### HOUR OF MEETING, ROLL CALL AND QUORUM

RULE 14. The house shall begin business as soon as a quorum appears. The rules relating to the acquisition of a quorum appear below:

(A) Hour of Meeting. The speaker shall call the house to order each day of sitting at 11:00 A.M., unless the house shall have adjourned to some other hour.

(B) Roll Call and Quorum. Before proceeding to business, the roll of the members shall be called and the names of those absent shall be entered on the journal. A majority of all the members elected must be present to constitute a quorum for the transaction of business. In the absence of a quorum, seven members with the speaker, or eight members in the speaker's absence, having chosen a speaker pro tempore, shall be authorized to demand a call of the house and may compel the attendance of absent members in the manner provided in Rule 22(B). For the purpose of determining whether a quorum be present, the speaker shall count all members present, whether voting or not. (Art. II § 8.)

(C) Interruption of Roll Call. When once begun, the roll call may not be interrupted.

(D) The house shall adjourn not later than 10:00 p.m. of each working day. This rule may be suspended by a majority vote.

#### DAILY CALENDAR AND ORDER OF BUSINESS

RULE 15. The rules relating to the daily calendar and order of business are as follows:

(A) Daily Calendar. The rules committee shall have charge of the daily calendar of the house and direct the chief clerk of the order in which the business of the house shall be transacted: PROVIDED, That:

(1) A bill in the rules committee may be placed on the calendar by the affirmative vote of a majority of all members of the house.

(2) Messages from the governor or senate or any communication from any state officer may be read at any time.

(B) Order of Business. Business shall be disposed of in the following order:

First: Roll call, presentation of colors, prayer and approval of the journal of the preceding day.

Second: Introduction of visiting dignitaries.

Third: Messages from the senate, governor and other state officials.

Fourth: Introduction and first reading of bills, memorials, joint resolutions and concurrent resolutions.

Fifth: Committee reports.

Sixth: Second reading of bills.

Seventh: Third reading of bills.

Eighth: Floor resolutions and motions.

Ninth: Presentation of petitions, memorials and remonstrances addressed to the Legislature.

Tenth: Introduction of visitors and other business to be considered.

Eleventh: Announcements.

(C) Unfinished Business. The unfinished business at which the house was engaged preceding adjournment shall not be taken up until reached in regular order, unless the previous question on such unfinished business has been ordered prior to said adjournment.

#### MOTIONS

RULE 16. Rules relating to motions are as follows:

(A) Motions to be Entertained or Debated. No motion shall be entertained or debated until announced by the speaker, and every motion shall be deemed to have been seconded. It shall be reduced to writing and read by the clerk, if desired by the speaker or any member, before it shall be debated, and by the consent of the house may be withdrawn before amendment or action.

(B) Motions in Order During Debate. When a motion has been made and seconded and stated by the chair, the following motions are in order, in the rank named:

(1) Privileged motions:

- Adjourn
- Adjourn to a time certain
- Recess to a time certain
- Reconsideration
- Demand for division
- Question of privilege
- Orders of the day

(2) Subsidiary motions:

- First rank: Question of consideration
- Second rank: To lay on the table
- Third rank: For the previous question
- Fourth rank: To postpone to a day certain
- To commit or recommit
- To postpone indefinitely
- Fifth rank: To amend

(3) Incidental motions:

- Points of order and appeal
- Method of consideration
- Suspend the rules
- Reading papers
- Withdraw a motion
- Division of a question

(C) The Effect of Postponement. 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. The motion to postpone indefinitely may be made at any stage of the bill except when on first reading.

(D) Without Debate. A motion to adjourn, to take a recess, to lay on the table and a call for the previous question shall be decided without debate.

All incidental questions of order arising after a motion is made for any of the questions named in this rule and pending such motion, shall be decided, whether on appeal or otherwise, without debate.

A motion for suspension of the rules shall not be debatable, except, however, the mover of the motion may briefly explain the purpose of the motion, and one member may briefly state the opposition to the motion.

#### MEMBERS RIGHT TO DEBATE

RULE 17. The methods by which a member may exercise his or her right to debate are as follows:

(A) Recognition of Speaker. When any member is about to speak in debate or deliver any matter to the house, the member shall rise and respectfully address

the speaker, pause until recognized, shall confine all remarks to the question under debate, and avoid personalities; and no member shall impugn the motive of any member's vote or argument.

(B) Order of Speaking. When two or more member arise at once, the speaker shall name the one who is to speak.

(C) Right of Member to Speak. No member shall speak longer than ten minutes without consent of the house: PROVIDED, That when only five (5) days remain before a session must end by law or three (3) days remain before a measure must be reported from the house of origin or opposite house as established by House concurrent resolution ~~32 as adopted on January 9, 1984~~, no member shall speak more than three minutes without the consent of the house. No member shall speak more than twice on the same question without leave of the house: PROVIDED, That the chair of the committee or the mover of the question may close debate so long as the act is consistent with Rule 19(B) (Previous Question).

#### RULES OF DEBATE

RULE 18. The rules for debate in the house are as follows:

(A) Question of Privilege. Any member may rise to a question of privilege and explain a personal matter, by leave of the speaker, but the member shall not discuss any pending question in such explanations.

(B) Withdrawal of Motion, Bill, Etc. After a motion is stated by the speaker, or a bill, memorial, resolution, petition or remonstrance is read by the clerk, it shall be deemed to be in possession of the house, but may be withdrawn by consent of the house at any time before decision or amendment.

(C) Reading of a Paper. When the reading of any paper is called for, and is objected to by any member, it shall be determined by a vote of the house.

(D) Order of Questions. All questions, whether in committee or in the house, shall be propounded in the order in which they are named, except that in filling blanks the largest sum and the longest time shall be put first.

(E) Division of Points of Debate. Any member 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 house; but a motion to strike out and to insert shall not be divided. The rejection of a motion to strike out and to insert one proposition shall not prevent a motion to strike out and to insert a different proposition.

(F) Decorum of Members. While the speaker is putting the question, no member shall walk across or out of the house; nor when a member is speaking shall any member entertain private discourse or pass between the speaking member and the rostrum.

(G) Exception to Words Spoken in Debate. If any member be called to order for words spoken in debate, the person calling the member to order shall repeat the words excepted to and they shall be taken down in writing at the clerk's table. No member shall be held in answer or be subject to the censure of the house for words spoken in debate if any other member has spoken before exception to them shall have been taken.

(H) Transgression of Rules--Appeal. If any member, in speaking or otherwise, transgresses the rules of the house the speaker shall, or any member may, call the member to order, in which case the member so called to order shall immediately sit down unless permitted to explain; and the house shall, if appealed to, decide the case without debate; if there be no appeal, the decision of the chair shall be submitted to.

If the decision be in favor of the member called to order, the member shall be at liberty to proceed; if otherwise, and the case shall require it, the member shall be liable to the censure of the house.

#### ENDING OF DEBATE

RULE 19. The rules for ending debate are as follows:

(A) Putting of Question. Question shall be put in this form, to-wit: "As many as are in favor of (as the question shall be) say 'Aye';" and after the affirmative vote is expressed, "as many as are opposed say 'No'."

(B) Previous Question. The previous question upon all recognized motions or amendments which are debatable may be ordered by two-thirds (2/3) of the

members present, and shall have the effect of cutting off all debate and bringing the house to a direct vote upon the motion or amendment on which it has been ordered: PROVIDED, HOWEVER, That one of the sponsors of a bill, memorial, or resolution, or the chair of the committee, when the measure is on final passage or when the motion to postpone indefinitely is pending, may have the privilege of closing debate after the previous question has been ordered.

(C) Putting the Motion Ending Debate. The previous question is not debatable and cannot be amended. The previous question shall be put in this form: "Representative . . . . . demands the previous question. As many as are in favor of ordering the previous question will say 'Aye'; as many as are opposed will say 'No'."

The results of the motion are as follows: If determined in the negative, the consideration goes on as if the motion had never been made; if decided in the affirmative, the presiding officer, without debate, proceeds to put the question.

If an adjournment is had after the previous question is ordered, the motion or proposition on which the previous question was ordered shall be put to the house immediately following the approval of the journal on the next working day, thus making the main question privileged over all other business, whether new or unfinished.

(D) Motion to Adjourn. A motion to adjourn shall always be in order, except when the house is voting or is working under the call of the house; but this rule shall not authorize any member to move an adjournment when another member has the floor.

#### VOTING

RULE 20. Every member who was in the house when the question was put shall vote unless, for special reasons, excused by the house.

All motions to excuse a member shall be made before the house divides or before the call for yeas and nays is commenced; and any member requesting to be excused from voting may make a brief and verbal statement of the reasons for making such request, and the question shall then be taken without further debate.

(A) Voting within Bar Only. Upon a division and count of the house on the question, only members at their desk within the bar of the house shall be counted.

(B) Change of Vote--Private Interest. When the electric roll call machine is used, no member shall be allowed to vote or change a vote after the speaker has locked the roll call machine. When the oral roll call is used, no member shall be allowed to change a vote after the result has been announced. No member shall vote on any question in the event of which that member is immediately or particularly interested,\* or in any case when that member is not within the bar of the house before the last name was called, unless by unanimous consent; and when any member shall ask leave to vote, the speaker shall propound the question, "Were you within the bar of the house when the last name was called?"

\*"A member who has a private interest in any bill or measure proposed or pending before the legislature shall disclose the fact to the house of which he is a member, and shall not vote thereon." (See also Constitution, Art. II § 30.)

#### METHOD OF VOTING

RULE 21. (A) Clerk's Desk During Voting. No member or other person shall visit or remain by the clerk's desk while the yeas and nays are being called.

(B) Yeas and Nays. Upon the final passage of any measure, the vote shall be taken by yeas and nays and shall be recorded by the electric voting system: PROVIDED, HOWEVER, That an oral roll call shall be ordered when demanded by one-sixth (1/6) of the members present. (Art. II § 21.)

The speaker may vote last when the yeas and nays are called.

When the vote is by electric voting machine or by oral roll call on any question, it shall be entered upon the journal of the house. A recorded vote may be compiled by one-sixth (1/6) of the members present.

(C) Tie Vote, Question Loses. In case of an equal division, the question shall be lost.



If the speaker is in doubt, or if division is called for and is supported by at least seventeen members, the house shall divide and a recorded vote shall be taken.

(D) Reconsideration. Notice of a motion for reconsideration on the final passage of bills may be made only on the day the vote to be reconsidered was made.

The motion must be made by a member who voted on the prevailing side and may be acted upon on a succeeding day: PROVIDED, That the reconsideration of the vote by which a bill passed or failed must be taken on the next working day after such vote was taken: PROVIDED FURTHER, That when only five (5) days remain before a session must end by law or three (3) days remain before a measure must be reported from the house of origin or opposite house as established by ~~House concurrent resolution 32 as adopted on January 9, 1984~~, then reconsideration of votes on the final passage of measures must be taken on the same day as the original date.

A motion to reconsider can be decided only once when decided in the negative.

When a motion to reconsider has been carried, its effect shall be to place the original question before the house in the exact position it occupied before it was voted upon.

(E) Veto Bills--No Reconsideration. The veto message of the governor accompanying any bill passed by the legislature, together with the bill vetoed, shall be reading in the house. It shall then be in order to proceed to the reconsideration of the bill, refer it, lay it on the table, or postpone its consideration to a day certain.

The merits of the bill may be debated before the vote is taken, but the vote on a vetoed bill cannot be reconsidered.

In case of a bill containing several sections or items, one or more of which has been objected to by the governor, each section or item so objected to shall be voted upon separately by the house.

Action by the house upon all vetoed bills shall be endorsed upon the bill and certified by the speaker.

Vetoed bills originating in the house, which have not been passed notwithstanding the veto of the governor, shall remain in the custody of the officers of the house until the close of the session, after which they shall be filed with the secretary of state.

#### CALL OF THE HOUSE

RULE 22. One-sixth (1/6) of the members present may demand a call of the house at any time before the house has divided or the voting has commenced by yeas and nays.

(A) Doors to be Closed. A call of the house being ordered, the sergeant at arms shall close and lock the doors, and no member shall be allowed to leave the chamber: PROVIDED, That the rules committee shall be allowed to meet, upon request of the speaker, while the house stands at ease: AND PROVIDED FURTHER, That the speaker may permit members to use such portions of the fourth floor as may be properly secured.

(B) Sergeant at Arms to Bring in the Absentees. The clerk shall immediately call a roll of the members and note the absentees, whose names shall be read and entered upon the journal in such manner as to show who are absent with leave and who are absent without leave.

The clerk shall furnish the sergeant at arms with a list of those who are absent without leave, and the sergeant at arms shall proceed to bring in such absentees; but arrests of members for absence shall not be made unless ordered by a majority of the members present.

(C) House Under Call: Raising Call. While the house is under a call, no business shall be transacted except to receive and act on the report of the sergeant at arms; and no other motion shall be in order except a motion to proceed with business under the call of the house, a motion to suspend further proceedings under the call of the house, or a motion to excuse absentees, any of which motions shall be determined by viva voce vote unless a roll call is demanded by one-sixth (1/6) of the members present. The motion to suspend further proceedings under the call

or to excuse absent members shall not be adopted unless a majority of the members elected vote in favor thereof.

(D) Call of House Raised when Absentees Return. When the sergeant at arms shall make a report showing that all who were absent without leave are present, the call of the house may be dispensed with; or the house may proceed under the call, on a majority vote of the members elected, with its regular business.

#### APPEAL FROM DECISION OF CHAIR

RULE 23. The decision of the chair may be appealed from by any member, on which appeal no member shall speak more than once unless by leave of the house. In all cases of appeal, the question shall be: "Shall the decision of the chair stand as the judgment of the house?"

#### COMMITTEE AND MEMBERSHIP

RULE 24. The standing committees of the house and the number of members that shall serve on each committee shall be as follows:

1. Agriculture	13	11
2. <del>Commerce &amp; Economic Development</del> <u>Commerce &amp; Labor</u>	26	14
3. Constitution, Elections & Ethics	13	11
4. Education		19
5. Energy & Utilities	19	15
6. Environmental Affairs		15
7. Financial Institutions & Insurance	18	14
8. Higher Education	19	15
9. Judiciary	19	18
<del>10. Labor</del>		14
10. <del>11.</del> Local Government	18	15
11. <del>12.</del> Natural Resources	22	20
12. <del>13.</del> Rules		17
13. <del>14.</del> Social & Health Services	16	17
14. <del>15.</del> State Government	17	13
15. <u>Trade &amp; Economic Development</u>		24
16. Transportation		26
17. Ways & Means		26

#### DUTIES OF COMMITTEES

RULE 25. House committees shall operate as follows:

(A) Notice of Committee Meeting. The chief clerk shall make public the time, place and subjects to be discussed at committee meetings. All public hearings held by committees shall be scheduled at least five (5) days in advance and shall be given adequate publicity: PROVIDED, That this rule shall not apply when only fifteen (15) days remain before a session must end by law.

(B) Committee Quorum. A majority of any committee shall constitute a quorum for the transaction of business.

(C) Session Meetings. No committee shall sit while the house is in session without special leave of the speaker.

(D) Duties of Standing Committees.

(1) Standing committees shall act upon all referred bills, memorials and resolutions. Only such bills as are included on the written notice of a committee meeting may be considered at that meeting except upon the vote of a majority of the entire membership of the committee to consider another bill.

(2) A majority recommendation of a committee must be signed by a majority of the entire membership of the committee in a regularly called meeting before a bill, memorial or resolution may be reported out: PROVIDED, That a majority of the members elected to the house may require a committee to report a bill back to the house during the order of business at which it may be considered. Majority recommendations of a committee can only be "do pass", "do pass as amended", or that "the attached substitute be substituted therefor and that the substitute bill do pass."

(3) Minority reports, "do not pass" or "without recommendation", may be submitted with the majority report. Members of the committee not concurring in the majority report may prepare a written minority report containing a different

recommendation, which shall be signed by those members of the committee subscribing thereto.

(4) All committee reports shall be spread upon the journal. The journal of the house shall contain an exact copy of all committee reports, together with the names of the members signing such reports.

(5) Every vote to report a measure out of committee shall be taken by the yeas and nays, and the names of the members voting for and against as well as the names of members absent shall be recorded on the committee report and spread upon the journal. Any member may call for a recorded vote, including the names of absent members, on any substantive question before the committee. A copy of all recorded committee votes shall be kept by the chief clerk and shall be available for public inspection.

(6) All bills having a direct negative revenue impact or a direct appropriation of fifty thousand dollars (\$50,000) or more shall be referred to the ways and means committee or transportation committee as appropriate before their final passage.

(7) No standing committee shall vote on any issue by secret written ballot.

(8) During its consideration of or vote on any bill, resolution or memorial, the deliberations of any standing committee of the house of representatives shall be open to the public.

#### FREE CONFERENCE COMMITTEE REPORT

RULE 26. No floor vote may be taken on any free conference report within twenty-four hours of its placement on each member's desk, unless the free conference committee made no changes in the bill as it was last acted upon by the house.

#### SUSPENSION OF COMPENSATION

RULE 27. (1) Any member of the house of representatives convicted and sentenced for any felony punishable by death or by imprisonment in a Washington state penal institution shall, as of the time of sentencing, be denied the legislative salary for future service and be denied per diem, compensation for expenses, and office space facilities and assistance. Any member convicted of a felony and sentenced therefor under any federal law or the law of any other state shall, as of the time of sentencing, be similarly denied such salary, per diem, expenses, facilities, and assistance if either (a) such crime would also constitute a crime punishable under the laws of Washington by death or by imprisonment in a state penal institution, or (b) the conduct resulting in the conviction and sentencing would also constitute a crime punishable under the laws of Washington by death or by imprisonment in a state penal institution.

(2) At any time, the house may vote by a constitutional majority to restore the salary, per diem, expenses, facilities, and assistance denied a member under subsection (1). If the conviction of a member is reversed, then the salary, per diem, and expense amounts denied the member since his sentencing shall be forthwith paid to him, and the member shall thereafter have the rights and privileges of other members.

#### STANDING RULES AMENDMENT

RULE 28. Any standing rule or order of the house may be rescinded or changed by a majority vote of the members elected: PROVIDED, That the proposed change or changes be submitted in writing to the members together with notice of the consideration thereof at least one day in advance.

Any standing rule of order or business may be suspended temporarily by a two-thirds (2/3) vote of the members present: PROVIDED, That when only five days remain before a session must end by law or three (3) days remain before a measure must be reported from the house of origin or opposite house as established by ~~House~~ concurrent resolution 32 ~~as adopted on January 9, 1984~~, bill reading may be advanced by majority vote. (Rule 11)

## SMOKING

RULE 29. Smoking of cigarettes, pipes, or cigars shall not be permitted at any public meeting of any committee of the house of representatives.

"No smoking" signs shall be posted in all committee rooms of the house of representatives.

## PARLIAMENTARY RULES

RULE 30. The rules of parliamentary practice comprised in Reed's Parliamentary Rules shall govern all cases in which they are not inconsistent with the standing rules and orders of the house.

## RULES TO APPLY FOR ASSEMBLY

RULE 31. The permanent house rules adopted at the beginning of the assembly are to govern all acts of the house during the course of the assembly unless amended or repealed.

## MOTION

Mr. J. King moved adoption of House Resolution No. 85-1.

Representatives J. King and Barrett spoke in favor of the resolution, and it was adopted.

## ELECTION OF SPEAKER

The Chief Clerk announced that nominations were in order for Speaker of the House of Representatives.

Mr. J. King: "It gives me great pleasure to nominate Representative Wayne Ehlers of Spanaway for Speaker of the House of Representatives. It is indeed an honor, and one that I haven't had the chance of having before, to nominate Representative Ehlers for an office. I'm not sure, as he has moved through the chairs, why that honor hasn't been accorded me before. We were roommates at one point and perhaps he was nervous about what I was likely to say when I rose to my feet, but perhaps it was because, on occasion, we engaged in a social game of chance and he was concerned about that, but it does give me a great deal of pleasure.

"I think Wayne has as much or more in common with the new members of this legislature than he does with some of the senior members. Many of you don't know that Wayne began his career as something of a rebel. He was, and still is, a man of strong ideals and sets high standards for himself and for this institution. I think a main measure of Wayne's success is that, if you have followed his career, his life from the former to Speaker of the House, you will see that most of the changes took place in the legislature, not in Wayne Ehlers. Open government, open doors, open minds have been some of the hallmarks and the changes that Wayne Ehlers has helped bring to this body. Responsibility to his constituents and respect for his peers are other examples of Wayne's style of public service.

"I understand that his nomination will not be adopted unanimously, but I think it is important that Wayne will be the Speaker for the whole body. If you have to choose one person who will represent all of us, both sides, it would be hard to get a more fair or honest man than Wayne Ehlers.

"Still another trait that we value in Wayne is his wisdom to understand men and women and have honest disagreements. Occasionally we do have that in this body, yet he still can face up to the difficult decisions and work through the process on common ground.

"I think one of the finest moments that Wayne had was the last session. It was the last night and, for you new members in this honorable body, there are occasionally honest disagreements. We were building toward the final hours, final minutes of the session; we had a budget to adopt and some major pieces of legislation. I sat near Wayne up there for a few minutes and watched the members come up; they were panicked; they had a bill that wasn't going to pass. Senators would pop their heads through that back curtain, absolutely imploring him that if their bill didn't go, they simply couldn't get a budget over here to us. Wayne handled it with great dignity, with some humor, and I started analyzing how he did that. I remembered back to some of the so-called games of chance that we would occasionally engage in and there were two things that I remembered about Wayne: He always

counts the cards and he always knows the players. Leadership is all of these things, and I think one more thing: The primary ingredient that Wayne brings to this body is integrity.

"Every legislator who has ever served with Wayne knows that his word is absolutely his bond. I urge you to elect Wayne Ehlers as Speaker of the House of Representatives."

Ms. Hine: "I would like to second the nomination of Representative Ehlers for Speaker of the House. Representative Ehlers does not present a new face for this job, although his countenance has slightly changed. He has served us well for the last two years. You know, we all come down here with some expectations, many trepidations, and we don't know exactly how or what it is we want to do or can do in this body. There may be a few here who came down from the beginning saying, 'Someday I'm going to be Speaker.' Most of us come down saying, 'Please God, let me get through those first days and the first committee and the first time I have to speak on the floor.' I suggest that Wayne didn't come down here with great ideas of personal advancement, but rather as Representative King so eloquently stated, with an idea for some reform and respect and to do the things that will make this institution better. I think he's a little surprised to find himself not only having been Speaker the last two years, but also to be again before us as our Speaker for the next two years.

"I'd like to mention three qualities that I think Wayne has. One has already been discussed, that is his complete fairness in dealing with the highly controversial, and often very emotional, issues with which we all must come to grips. A second is his humanness. Wayne gets cranky, and Wayne gets cranky mostly because some of us aren't doing what we should be doing or we don't have the respect for the institution or the respect for each other. Wayne works within his own personality; he is very direct and I like that humanness. We are humans; we all have our own personalities. The third quality that I think Wayne brings to us is absolute enthusiasm, and none of us will ever forget the enthusiasm with which he adjourned us sine die and shattered glass all over the rostrum. It is with that enthusiasm that he charges into everything that he does, tucking in his shirttail and pulling up his trousers, because he's in too big a hurry to spend a lot of time taking care of those little things. This is a man who has served us very well for the last two years. This is a person that we can rely on to lead us once more in the next two years.

"We have a new governor; we have some new make-up in the other house, and of course, the new people in this house. We have a challenge; the session is about to begin. We know we don't have a lot of resources or additional dollars to spend; it is going to take a lot of good faith. While we are in a giant love-in, at the moment, with those other two groups that participate in the legislative process, it is feasible and probable that sometime we may come to a disagreement, and, Mr. Chief Clerk, you will forgive me, but if that should happen, Representative Ehlers, Speaker Ehlers, will be certain it is House first in any battle that we have to take on with the other two groups.

"It is with the confidence that he will do that, that I very respectfully, and happily, second the nomination of Representative Ehlers for Speaker of the House of Representatives of the 49th Legislature."

Mr. Tilly: "I am very proud today to nominate Sim Wilson of Marysville, Washington to be Speaker of the House. I've served with Sim twelve years, through six terms, and it has been a very close relationship serving with him through those years. We have seen times in our state when we had too much money to spend and there have been times when we didn't have enough, and I think it's time we had some reform and we'd like to serve under Representative Wilson under the good times. We would like to share in some of the fruits of that.

"The person that we choose to be Speaker of the House has an enormous responsibility and prior speakers have pointed that out. They have a responsibility not only to this body, the legislation that we pass and the management of the House of Representatives during the interim, but they also have a responsibility to the entire state and it probably even extends beyond the state. As we move into the second half of this decade, into the 80s, I feel that the people demand the very

best in leadership from all of us and especially to the people that we pick as leaders. I say this in spite of the article in yesterday's leading Sunday paper that said that people don't even know who their legislators are. They do in the 10th District. Sim Wilson has had a distinctive career as a legislator and as a publisher of two weekly newspapers. Here in our ranks his main interest has been in transportation where he has been a minority chairperson; he has been a co-chair, chair, and even Chairman of LTC, plus nationally, he was Chairman of the National Conference of State Legislatures' Transportation Committee.

"Sim has a very, very deep interest in the arts and cultural things and he is also very innovative. When we were freshman legislators and were over on the fourth floor in the freshman nursery wing, because his name starts with a 'W,' he got the last choice of offices, so he got the only office without a window. To show you how innovative Representative Wilson is, he promptly found a picture of a window with a beautiful pastoral scene. I feel that his leadership qualities and his vision are the type that we need to lead this House of Representatives as Speaker, to be an influence-maker in the State of Washington.

"I want to confess that I have no illusions about what the vote will be today, in spite of these great words, but I feel that you will be right if you vote for Sim Wilson for Speaker of the House."

Mr. C. Smith: "It is also my privilege to second the nomination of Simeon Wilson for Speaker of the House. As I enter into my fourth term, I take pride in continuing to have the opportunity to serve the people in these chambers. The potential of all members to effectively represent the citizens in the State of Washington is enhanced by good leadership, and I think that Sim Wilson really justifies this. His leadership in our caucus is a direct result of our desire to unify the caucus and to direct the serious issues of the State of Washington and to work with the other side of the aisle in a cooperative fashion.

"In a little over three months from now, we will have to report back to the citizens of the State of Washington, and it is our hope that when we report back that we will have carried out the challenges or tasks that we have before us and have done it in good fashion. If we are to succeed and to earn mutual respect and the respect of our constituents, we must have a high standard of fairness and a quality of leadership. We think that Representative Sim Wilson exemplifies these qualities of fairness and I appreciate the privilege of seconding the nomination for Sim Wilson to be our next Speaker of the House of Representatives."

On motion of Mr. Appelwick, nominations for Speaker of the House were closed.

#### ROLL CALL

The Clerk called the roll and Representative Ehlers was elected Speaker of the House by the following vote: Mr. Ehlers, 53; Mr. Wilson, 45.

Those voting for Representative Ehlers: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, J. King, P. King, R. King, Kremen, Leonard, Locke, Lux, Madsen, McMullen, D. Nelson, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, K. Wilson, S. Wilson, Wineberry and Zellinsky.

Those voting for Mr. Wilson were: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Ehlers, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, G. Nelson, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, C. Smith, L. Smith, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, B. Williams, J. Williams and Winsley.

The Chief Clerk appointed Representatives Hine and Ballard to escort Speaker Ehlers to the rostrum and Justice Hamilton issued the oath of office to him.

The Chief Clerk presented the gavel to the Speaker.

## SPEAKER'S ACCEPTANCE SPEECH

The Speaker: "Two years ago I was selected to serve this House as your Speaker. It was an honor that many seek but few have the opportunity to achieve. As a student of government and as one who respects and cherishes this institution, I accepted the task with full knowledge of the trust you placed in my hands. It is an even greater honor today that you have chosen once again to ask me to lead this House. It is, I believe, a reaffirmation that those goals I outlined to you two years ago—many of which we achieved—were ones that you shared.

"Two years ago, in my acceptance speech, I outlined a program of specific goals:

- To have the collective political courage to avoid fiscal gimmicks and lightbulb switches;

- To eliminate the budget gimmick called the twenty-fifth month;

- To avoid across-the-board cuts or increases to all agencies and programs, but to sort out the good from the bad programs and managers;

- To dedicate those funds from the ending balance of the biennium for our unfunded pension obligation rather than for new programs;

- To make a major effort to restore the fiscal integrity and the credit rating for this state;

- To emphasize legislative compromise rather than political partisanship;

- To create a rainy-day reserve account to bring more stability to our budgeting process.

"With the exception of the latter charge, we achieved those goals. I am proud of you for making it happen.

"Now we face two years of great expectations. There is an electricity--a spirit--in Olympia that I have not sensed in my previous twelve years of service. The public is expecting us to address, and solve, problems that have been with us for years and are not easily resolved in one biennium. We again have limited financial resources to solve complex issues that cannot be avoided. The easy path is to plead 'limited finances' and simply walk away. My challenge to you is to seek creative ways of dealing with these great expectations.

"Staging of program funding; pivot studies that are properly funded with provable results; increasing employee productivity by rekindling pride in what they do; and hands-on personal involvement in attracting new investors and new jobs to our state's economy are only some of the techniques that we can employ.

"The words that I shared with you two years ago are still appropriate today. There are many new faces here in these chambers. We must not concern ourselves with old wounds, only in new beginnings. If we are going to be measured for our performance here, let it be said this was a legislature of action and not a legislature of inaction."

## ELECTION OF SPEAKER PRO TEMPORE

The Speaker announced that nominations were in order for Speaker Pro Tempore.

Mr. Ebersole: "With a great deal of admiration and affection, I rise to nominate the most distinguished member of the Washington State House of Representatives, John Lawrence O'Brien. John Lawrence O'Brien is a great man. John O'Brien has been a member of the Washington State House of Representatives for forty-three years. John O'Brien was first elected in 1941. Franklin Delano Roosevelt was in the White House and John Lawrence O'Brien was in this state house. Since that time he has survived twenty-two reelection campaigns, and I'm proud to say in 1984, John O'Brien defended freedom by single-handedly defeating a communist. From 1955 to 1962, John O'Brien served as Speaker of this House. John O'Brien is the only person to be elected Speaker on four consecutive occasions. He also served as acting Speaker in 1976 and in 1980, when the House ran into a few difficulties and in fact, John O'Brien has served in a leadership position in a state legislature longer than any person in these United States.

"As I thought about John O'Brien in anticipation of this moment, I tried to come up with those characteristics which make O'Brien O'Brien, and I came up with the following: He has the wit and charm of an Irishman, the carriage and the refined

courtly manners of an English gentleman, the style and good taste of a Frenchman and an Italian's love of art. Just a word to new members: Vote against the Art Commission at your own peril. Among his other many qualities, John Lawrence O'Brien has a very good memory. When you see John assume that Jack Benny pose and that Mona Lisa smile, you might want to reconsider your vote. John laid the age-issue to rest last session when he presided all night while members half his age slept in the wings. John has forty-three years worth of parliamentary rulings stored away in his memory, and he can go any way you want to go on any occasion. He is called Father O'Brien and, more reverently, Monsignor O'Brien. Speaker O'Brien is a legend. Father O'Brien is a tradition. Monsignor O'Brien is an inspiration. We look to him for guidance and counsel and he does not disappoint us. This is a man who has served us well. His very presence enriches our institution and brings a sense of dignity and decorum to these chambers. I asked John O'Brien once why he never moved across the rotunda to that other body, and he looked at me and said simply, 'I didn't want to leave home.' John, we don't want you to leave home.

"Ladies and gentlemen, I'm proud to nominate John Lawrence O'Brien to assume his rightful place as Speaker Pro Tem of the Washington State House of Representatives."

Ms. Niemi: "It gives me great pleasure to second the nomination of John O'Brien for Speaker Pro Tem. John O'Brien represents a neighboring district and in this particular legislature with this particular governor, it's very nice to have someone from the City of Seattle in a leadership position. We can all learn to be more effective legislators by watching John O'Brien. His bills pass as if by magic just as effortlessly as he presides. I hope he is around quite a few sessions more so that I can pick up a little bit more from John O'Brien. He teaches us all also how to deal with technicalities and those of us who would ignore or skip over some of his sessions will not be nearly as effective in dealing with the legislature. I urge you all to support this very experienced and dignified Representative for Speaker Pro Tem."

Mr. Dellwo: "I, too, rise with pride to second the nomination of John O'Brien as Speaker Pro Tem. John, as you must recognize, is a legislator's legislator. He is the most senior member of the House of Representatives. In fact, when he took office in 1941, it was four years before my birth. John is so much a part of legend, the lore and history of this institution, that it is easy to convey to the new members what this means to the House. John can contribute so much, so many benefits to the House, that it is with pride that I second the nomination of John O'Brien for Speaker Pro Tem."

On motion of Mr. Appelwick, the nominations for Speaker Pro Tem were closed and Representative John L. O'Brien was elected unanimously as Speaker Pro Tem of the House of Representatives.

The Speaker appointed Representatives Ebersole and G. Nelson to escort Representative O'Brien to the rostrum and Justice Hamilton issued the oath of office to him.

#### ELECTION OF CHIEF CLERK

Mr. Grimm: "For position of Chief Clerk of the Washington State House of Representatives, I nominate Mr. Dennis Lynn Heck. I hope you will please forgive me if my remarks appear somewhat ill-prepared. I was planning to give this nominating speech, but not for about two years and even then, for another position. I realize that coronations are best when done quickly, but I would like to take a moment, with the consent of the Speaker, to recognize someone in the gallery, if I may: The product of eight years of hard labor, Robert Dennis Heck and his mother, Paula Fruci Heck. Thank you for that.

"For those of you who are new, the Chief Clerk of the House of Representatives is our official keeper of the records and actually could best be described as being the equivalent of an agency director in the executive branch. There is no question that the gentleman I am nominating, and for whom I hope you will join me and by acclamation, elect as Chief Clerk is qualified for the job. But I would, given a few years of working together, appreciate just a moment to take a measure of the man.



He is a leader we have had and he is a leader we will have still, even though the relationship will be different.

"Several years ago I was new to these Chambers, as all of us are at one time or another even the Speaker Pro Tem; we are always very nervous about getting reelected, and that seems to consume a great deal of our time, our thoughts and our energy. There was a vote coming up on this floor and it was a close one, a volatile one, and it was one that everyone in this state who paid any attention to the legislature was paying attention to. I thought I knew how I wanted to vote, but I knew I was going to catch it back home. I was sitting back on that couch and I was distraught, I was scared because I knew that even if I didn't lose that next election because of that vote, I was at least going to get into an awful lot of trouble and it was going to be very, very difficult to prevail a year and a half later. Denny Heck sat down and asked me about it, and he asked, 'Well, how do you feel?' and I said, 'Well, left to my own devices, I think this is how I would voted.' He said, 'It will probably be tough, but some things are worth losing an election for.' That's the kind of strength and leadership that he provided and will continue to provide for us. He recognizes that we serve a purpose as legislators that is greater than each of us, that is greater than all of us. Eight years ago when he was first elected, he was part of a vanguard of legislators who had been born in the Viet Nam War era and who didn't have a whole lot of respect for the structure of government as it was. He came down here ambitious, and a question was asked by a gentleman named Mr. Horsey. He said, 'Well, he has all of the qualifications and he has all of the background and he knows how to target those instincts, but does he have a heart?' And now at this juncture where he is changing from a job as legislator to that of Chief Clerk, it is not inappropriate for me to answer that question for you, Mr. Horsey, the answer is 'Yes.' He has proved time and time again that he has a heart, courage, a heart of kindness, a heart of compassion, a heart of grace.

"If I'm taking too long and being too boring, I only ask that you recognize that Mr. Heck and I came here together as members in 1977, but even before that, we worked on the staff here in the House for at least a couple of years together. He, as analyst for the Education Committee and I, as the analyst for Higher Education Committee, and while we worked together all of us in a war-like effort where we have to rely on one another, he and I have developed a friendship that has gone through the years, and I don't begrudge him his having left--perhaps early--but now he's going back to a real job and I'm left here with this crummy desk on the floor.

"I hope you will join with me in voting for Mr. Heck for Chief Clerk of the Washington State House of Representatives."

Mr. Barrett: "I would like to remind all of my fellow members on the floor that the minority party has a major stake in the office of Chief Clerk. Mr. Speaker, we understand that your responsibility is to the state. You are one of the leaders of the legislative--executive--judicial branch, but the Chief Clerk is responsible to us. That person is the soul who sits up at the head of this room and makes sure that the procedure works well, and I suppose, that the files are kept, but more importantly, that both sides have an opportunity to express their opinions and that they are fairly heard. I, in the past two years in working with Dennis Heck as a fellow floor leader, have risen today to second the nomination because of one major thing, and that is that I have complete trust in Dennis Heck that he will always be fair to the minority party; that he will act as our advisor as well as an advisor to the majority party.

"Dennis, you are going to make a major change as you walk from the partisan part of this building to the nonpartisan, but I have absolute faith that of all the people in this room, you will do it as easily as anyone we might have suggested. I think that you and I, as members of this House, are going to find out that Dennis Heck is going to be an asset.

"He has some tremendous shoes to fill--size 500 I suppose, but I think his experience as one of us is going to stand in good stead. He is going to make sure that this system protects the system.

"I urge that you join me in voting for Dennis Heck for this position that he so richly deserves; and the minority party, Dennis, certainly looks forward to working with you."

On motion of Mr. J. King, nominations for Chief Clerk were closed and Dennis L. Heck was unanimously elected Chief Clerk of the House of Representatives.

The Speaker appointed Representatives Grimm and Hankins to escort Chief Clerk Heck to the rostrum and Justice Hamilton issued the oath of office to him.

#### ELECTION OF ASSISTANT CHIEF CLERK

Ms. Hine: "I would like to place in nomination the name of Sharon Case for Assistant Chief Clerk. Sharon has served in this role, which was created a couple years ago, and has served it extremely well. Sharon is one of these people who not only is able to work behind the scenes to do what is necessary, but also she is one who feels hurt when you are hurt and happy when you are happy, and she has truly been an extension of all of us when we need some of that emotional assistance and uplift. I will tell you, of all the people nominated for various positions today, I don't think the new people know anyone better than they know Sharon Case. Sharon put together the orientation program which went on first in December and then again last week. She, I think, did an excellent job of giving you the kind of information and tools that you are going to need to help you to become a good legislator. This is the first time in the last couple of years that we have had that intensive training program and Sharon has the credit for that.

"Sharon has worked around here since 1969, although she must have started as a page in that year. I asked her for a little information and she said she is a fourth generation resident of Thurston County, and I certainly hope you won't hold that against her as you pass this vote. She has been very active with all of us. I think that Chief Clerk Denny Heck will be the first to say that he probably couldn't have survived the past few weeks of getting used to his new job without Sharon Case. Nobody understands what it takes to run an operation like this, both in the institutional structure of the day-to-day kinds of activities as well as in the personalities of the staff and the preparation for all us ego-guys to come down here and make life difficult. Without Sharon's very, very strong support and ability to carry out many of those tasks, I know that we would not have the smooth-running operation that we do. I know that Denny Heck will kill us all if we don't give him Sharon to serve with him."

Ms. Hankins: "I rise to second the nomination of Sharon Case as Assistant Chief Clerk of the House. I think most of you are well aware of Sharon's abilities to organize and take care of the day-to-day functions of this institution. All I can say is, when you're rated a ten as I rate Sharon, and she's a good friend to all of us, please support her."

On motion of Mr. Appelwick, nominations for Assistant Chief Clerk were closed and Ms. Sharon Case was unanimously elected Assistant Chief Clerk of the House of Representatives.

The Speaker appointed Representatives Hine and Addison to escort Sharon Case to the rostrum and Justice Hamilton issued the oath of office to her.

#### ELECTION OF SERGEANT AT ARMS

Mr. Lux: "It is with a great deal of jubilation and sincerity that I place the name of Ross Young in nomination for Sergeant at Arms. The Sergeant at Arms of this body is the keeper of the keys, and he has been so in that position for over a decade in the Sergeant at Arms' office, in one way or another. There was an interlude there when he was not the official Sergeant at Arms, but he did know where those keys belonged. He is also charged with the care and comfort of the members of this House of Representatives and handles that responsibility and has handled it very, very well, and he treats with equal fairness both the majority and minority members. Those of you who have served here before know that Ross Young can help you in so many ways, in many, many ways that you probably are not aware of yet. The younger members will find that there are things they need help with and Ross Young has the ability, he has the staff, and he will work for you.

"I think Ross Young is the best person we can nominate for this position. I appreciate your support."

Mr. Prince: "I rise today to second the nomination of Ross Young, and I would like to depart, just a bit, from tradition. I would like to second the nomination in behalf of someone who went before us. A gentleman, that when I first came to this body, it was a privilege to work with and to work for; a man who gave his all and who believed in the sanctity of this body, who spent the latter part of his life trying to do the things that we are all doing at the moment; a man who would be duly proud today to see Ross voted as Sergeant at Arms again; a man who was the Assistant Sergeant at Arms for quite a number of years. This man, Brigham Young, the father of Ross Young, was a friend of mine and in his memory and his honor, I'm as proud as he would be if he could have been here today. I would like to second the nomination."

On motion of Mr. Appelwick, the nominations for Sergeant at Arms were closed. Ross Young was unanimously elected Sergeant at Arms.

The Speaker appointed Representatives Lux and Silver to escort Ross Young to the rostrum. Justice Hamilton issued the oath of office to Ross Young.

The Speaker appointed Representatives Armstrong and Padden to escort Justice Hamilton from the House Chamber.

#### MOTION

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

#### RESOLUTION

HOUSE FLOOR RESOLUTION NO. 85-2, by Representatives O'Brien, Ehlers, S. Wilson, Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, J. King, P. King, R. King, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, D. Nelson, G. Nelson, Niemi, Nutley, Padden, Patrick, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, C. Smith, L. Smith, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Vander Stoep, van Dyke, Van Luven, Vekich, Walk, Walker, Wang, West, B. Williams, J. Williams, K. Wilson, Wineberry, Winsley and Zellinsky:

WHEREAS, Dean R. Foster was recently chosen to be Chief of Staff for newly-elected Governor Booth Gardner's administration; and

WHEREAS, This appointment concludes nearly two decades of Dean Foster's service to the Washington State Legislature; and

WHEREAS, During his tenure with the Washington State Legislature, Dean Foster served the Washington State Senate for six years and the Washington State House of Representatives for a period of twelve years; and

WHEREAS, Dean Foster served five terms as Chief Clerk of the House of Representatives and one term as Co-Chief Clerk; and

WHEREAS, During that time, he earned a reputation for his strong administrative abilities, his independence and fairness and his pragmatic politics; and

WHEREAS, This reputation won him the respect and admiration of legislators, regardless of their political affiliation, and of employees of the House of Representatives;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That we express our great appreciation to Dean Foster for his service to the House of Representatives; and

BE IT FURTHER RESOLVED, That we congratulate him on his recent appointment as Chief of Staff for Governor Booth Gardner, and wish him the best of luck in his new endeavors; and

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Dean R. Foster.

On motion of Mr. J. King, the rules were suspended to allow consideration of House Floor Resolution No. 85-2.

Representative O'Brien moved adoption of the resolution. Representatives O'Brien and S. Wilson spoke in favor of the resolution, and it was adopted.

#### SPEAKER'S PRIVILEGE

The Speaker appointed Representatives Grimm and Prince to escort former Chief Clerk Dean R. Foster to the rostrum.

The Speaker: "It is a pleasure to have the opportunity to present House Floor Resolution 85-2 to you, Dean. I came into this body in 1973 as you became Chief Clerk. Most recently, there have been a number --I remember when Governor-elect Booth Gardner called me and said, 'I've got some bad news I want to talk to you about,' and I said, 'What is it?' and he said, 'I want to hire Dean Foster, but I haven't talked to him yet.' And I said, 'How about any six members and three first-round choices?' Many of you don't know that in the last three days, three other of our staff members, besides Dean, have gone to work for Governor-elect Gardner. So I'd like to think, Dean, that you and your three colleagues who are now working for Booth Gardner, are still with us. We'll consider you the House staff in-exile, down on the second floor. Dean Foster, I'm very pleased to give you this resolution."

Dean Foster: "First, I like to say just a bit about this institution. Twelve years ago when I was here taking oath of office for the first time, there were three members who were senior members sitting in this audience: Representative O'Brien, Representative Gallagher and Representative Dick King. There were also five other people who were freshmen, just like me: Representative Speaker Ehlers, Representative Sommers, Representatives Gary Nelson, Earl Tilly and Sim Wilson. We embarked on a course that has taken us through five speakers: Speaker Sawyer, Speaker Bagnariol, Speaker Berentson, Speaker Polk and Speaker Ehlers, always with the guidance of Speaker O'Brien and Speaker Pro Tem Amen. I believe the people of this state need to know that this institution, for better or worse, when we're down, when people ridicule, when people talk about it, make jokes about the legislature, this institution pulls itself up from its bootstraps. The kinds of things that the people in the House of Representatives and this legislature do for the people of this state often go unnoticed, but I've seen people working side-by-side who happen to disagree on a particular issue. But to work out a problem, I have seen Republicans and Democrats work night after night to work out a state budget, when other people went home at 5 o'clock, went home on weekends. I believe the whole is certainly greater than any of its parts and this institution, the people of this state need to know, will continue to perform the kind of service that is asked for in the Constitution and is demanded by the public. That is the group of people who truly represent the people in Walla Walla and Spokane and throughout eastern Washington and western Washington--who truly represent those kinds of ideas that are happening out there--and I would just like to applaud the institution of the Legislature. When those nights get long, you wonder why you doorbelled all summer; you wonder why you're here; somebody's yelling at you on the phone for a vote. We're part of it, and when it's over and when our time has come, we can all be proud of the fact that we spent time in this legislature and served the public as we have.

"Finally, I'd like to make some thank yous. First, I'd like to ask the people in the back room to bring Phyllis Mottman out. As they are doing that, I'd like to thank, particularly, the members of this body and those whom I've known for so long. When I first started working for the legislature in 1959, I worked in the Senate. There was a young man who was working in the House. His name was Gene Prince. Gene and I have worked together for a long time and I want to thank him for the support he's given me. There are also other members of this body who have been staff members: John Betzoff, Dan Grimm--I'm sure I'm going to miss some--but I'm proud of the fact that there are people in this body who have been staff members, and those who worked with us have given us the kind of support that we have certainly needed when those hours were long and we wondered sometimes why we're here. I'd also like to thank my family who are in the gallery, my mother and father, Wanda and Bob Foster from Sim Wilson's district, Whidbey Island. Sharon Petty and my three sons who love these kinds of days because they get out

of school for the entire day, but I know they are here to see me--in the order of where they are sitting, Michael Foster, David Foster and Scott Foster.

"Finally, thanks go, and it was said earlier by Sharon Case, the staff of the Washington State Legislature is the finest of any legislative staff in this country. When I first came to the legislature, there was a much smaller staff. The staff has grown, not only in size, but also in quality. There's one person on this staff to whom I owe most of my good credit, good press, and her name is Phyllis Mottman. When I first came here, Phyllis and her husband George were working in the House. They were an institution, and they brought to the legislature the kind of dedication that the people of this state deserve. About a year and a half ago, George died of cancer. Phyllis has continued essentially to run the House of Representatives. As a symbol of the staff of the House of Representatives, I would like to present these roses to Phyllis and thank her for helping me and making this such a great institution.

"Thank you, members of the House, my family, Phyllis, Mr. Speaker; I'll quit before we all cry."

The Speaker presented Dean Foster with a gift from the members of the House of Representatives.

#### COMMITTEE FROM SENATE

A special committee from the Senate, consisting of Senators Garrett, Cantu and Kreidler, appeared at the bar of the House and announced that the Senate was organized and ready for business.

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

#### RESOLUTION

HOUSE FLOOR RESOLUTION NO. 85-3, by Representatives J. King and S. Wilson

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

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

The Speaker appointed Representatives Rayburn, Madsen and Barnes to notify the Senate that the House was organized and ready for business.

#### MOTION

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

#### INTRODUCTIONS AND FIRST READING

HB 1 by Representative Belcher

AN ACT Relating to a pilot-scale management assessment and training project; adding new sections to chapter 72.09 RCW; making appropriations; and providing an expiration date.

Referred to Committee State Government.

HB 2 by Representative Belcher

AN ACT Relating to state government; adding new sections to chapter 41.06 RCW; adding new sections to chapter 28B.16 RCW; adding a new section to chapter 34.04 RCW; and repealing RCW 41.04.140, 41.04.150, 41.04.160, and 41.04.170.

Referred to Committee on State Government.

HB 3 by Representatives Sutherland, Tanner, Rust and Unsoeld

AN ACT Relating to protection from radiation; and amending RCW 70.98.010, 70.98.050, 70.98.090, and 70.94.331.

Referred to Committee on Energy & Utilities.

HB 4 by Representatives Rayburn and Baugher

AN ACT Relating to the removal of county seats; and amending RCW 36.12.010, 36.12.080, and 36.12.090.

Referred to Committee on Local Government.

**HB 5** by Representatives Sommers, G. Nelson, Brekke, B. Williams, Tilly, Schoon and Sayan; by Legislative Budget Committee request

AN ACT Relating to state government; amending RCW 43.79.270, 43.79.280, 43.79.282, 43.88.250; adding new sections to chapter 43.79 RCW; and providing for a referendum.

Referred to Committee on Ways & Means.

**HB 6** by Representatives Sommers, B. Williams, G. Nelson, Brekke, Schoon, Tanner, Sayan and Fuhrman; by Legislative Budget Committee request

AN ACT Relating to life-cycle cost in public buildings; and adding a new chapter to Title 39 RCW to be designated as chapter 39.35A RCW.

Referred to Committee on Ways & Means.

**HB 7** by Representative Lux

AN ACT Relating to voter registration; and amending RCW 29.07.070.

Referred to Committee on Constitution, Elections & Ethics.

**HB 8** by Representative Dellwo

AN ACT Relating to excise taxes; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

**HB 9** by Representatives Dellwo, West and Hastings

AN ACT Relating to property taxation; and amending RCW 84.40.030.

Referred to Committee on Ways & Means.

**HB 10** by Representative Dellwo

AN ACT Relating to drivers' licenses; and amending RCW 46.20.599.

Referred to Committee on Judiciary.

**HB 11** by Representatives Tilly, K. Wilson and Haugen

AN ACT Relating to the establishment and maintenance of records of sales of kegs of malt beverages; and adding a new section to chapter 66.28 RCW.

Referred to Committee on Commerce & Labor.

**HB 12** by Representatives Tilly, Ballard, Bristow and Fuhrman

AN ACT Relating to FM radio reception; and amending RCW 36.95.010, 36.95.130, and 36.95.140.

Referred to Committee on Local Government.

**HB 13** by Representatives Dellwo and Padden

AN ACT Relating to actions for injuries resulting from health care; and amending RCW 7.70.050 and 7.70.060.

Referred to Committee on Judiciary.

**HB 14** by Representatives Sutherland and Sayan

AN ACT Relating to salmon angling licenses in concurrent waters of the Columbia river and in coastal territorial waters along the Oregon-Washington boundary; and amending RCW 75.25.120.

Referred to Committee on Natural Resources.

**HB 15** by Representatives Fisch, Winsley, Wang, Gallagher, Hankins, Belcher, Allen, Isaacson and Sayan

AN ACT Relating to public works; and amending RCW 60.28.010 and 60.28.040.

Referred to Committee on Local Government.

**HB 16** by Representatives Sayan, R. King, Patrick, Wang, Winsley, Sutherland, Fisch, Gallagher, Isaacson, Belcher, Hankins, Allen and Baugher

AN ACT Relating to prevailing wage rates; amending RCW 39.12.010 and 39.12.050; and adding a new section to chapter 39.12 RCW.

Referred to Committee on Commerce & Labor.

HJ 17 by Representatives Rust, Jacobsen, Crane, Cole, Todd and Appelwick

AN ACT Relating to the conveyance of land to certain counties for public recreation purposes; and creating new sections.

Referred to Committee on Natural Resources.

HJR 1 by Representatives Sommers, G. Nelson, Brekke, B. Williams, Schoon, Sayan and Winsley; by Legislative Budget Committee request

Authorizing the establishment of a legislative committee to authorize when permitted emergency expenditures, spending unanticipated receipts, and certain transfers of appropriated funds.

Referred to Committee on Ways & Means.

HJR 2 by Representatives Dellwo and West

Authorizing current use valuation of single-family residences.

Referred to Committee on Ways & Means.

HJR 3 by Representatives D. Nelson, Lux, Brekke and Leonard

Establishing the right of access to basic health care.

Referred to Committee on Social & Health Services.

HCR 1 by Representatives J. King and S. Wilson

Calling a joint session.

#### MOTIONS

On motion of Mr. J. King, the rules were suspended and House Concurrent Resolution No. 1 was advanced to second reading and read the second time in full.

On motion of Mr. J. King, the rules were suspended, the second reading considered the third, and House Concurrent Resolution No. 1 was placed on final passage and adopted.

On motion of Mr. Appelwick, House Concurrent Resolution No. 1 was ordered immediately transmitted to the Senate.

#### MESSAGE FROM THE SENATE

January 14, 1985

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 102,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### FIRST READING

SCR 102, by Senators Bottiger, Fleming, Hayner and Sellar

Notifying the Governor that the Legislature is organized and in session.

On motion of Mr. J. King, the rules were suspended, the resolution was advanced to second reading and read the second time in full.

On motion of Mr. J. King, the rules were suspended, the second reading considered the third, and the resolution was advanced to third reading and adopted.

#### MOTION

On motion of Mr. J. King, the bills and resolutions listed on today's introduction sheet were considered first reading under the fourth order of business and were referred to the committees designated.

## APPOINTMENT OF SPECIAL COMMITTEE

Under the provisions of Senate Concurrent Resolution No. 102, the Speaker appointed Representatives Miller, Kremen and P. King to notify the Governor that the Legislature was organized and ready for business.

## MOTION

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

## STANDING COMMITTEE ASSIGNMENTS

The Speaker announced the following standing committee assignments:

**AGRICULTURE:** Representatives Vekich, Chair; Baugher, Vice Chair; Ballard, Bristow, Brooks, Chandler, Doty, Kremen, Madsen, Nealey, Peery.

**COMMERCE & LABOR:** Representatives Wang, Chair; Cole, Vice Chair; Betrozoff, Chandler, Ebersole, Fisch, Fisher, R. King, O'Brien, Patrick, Sayan, C. Smith, Walker, J. Williams.

**CONSTITUTION, ELECTIONS & ETHICS:** Representatives Fisher, Chair; Leonard, Vice Chair; Barnes, Barrett, Day, Fisch, Madsen, Miller, Nealey, Sommers, Walker.

**EDUCATION:** Ebersole, Chair; Valle, Vice Chair; Appelwick, Betrozoff, Chandler, Cole, Fuhrman, Holland, P. King, Long, Peery, Rayburn, Rust, Schoon, L. Smith, Taylor, Todd, Walker, Wang.

**ENERGY & UTILITIES:** Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong, Barnes, Bond, Gallagher, Isaacson, Jacobsen, Long, Madsen, Miller, Nealey, Sutherland, Unsoeld, Van Luven.

**ENVIRONMENTAL AFFAIRS:** Representatives Rust, Chair; Unsoeld, Vice Chair; Allen, Barnes, Bond, Brekke, Brough, Isaacson, Jacobsen, R. King, Lewis, Lux, May, Nutley, Valle.

**FINANCIAL INSTITUTIONS & INSURANCE:** Representatives Lux, Chair; Zellinsky, Vice Chair; Addison, Barrett, Crane, Dellwo, Grimm, Holland, P. King, Locke, Nutley, Prince, West, Winsley.

**HIGHER EDUCATION:** Representatives Sommers, Chair; Jacobsen, Vice Chair; Allen, Basich, Belcher, Hastings, Miller, D. Nelson, G. Nelson, Prince, Silver, Unsoeld, Vander Stoep, K. Wilson, Wineberry.

**JUDICIARY:** Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, P. King, Lewis, Locke, G. Nelson, Niemi, Padden, Schmidt, Schoon, Tilly, Van Luven, Wang, West.

**LOCAL GOVERNMENT:** Representatives Haugen, Chair; Nutley, Vice Chair; Allen, Bristow, Brough, Doty, Ebersole, Hine, Isaacson, May, Patrick, Rayburn, Smitherman, Winsley, Zellinsky.

**NATURAL RESOURCES:** Representatives Sutherland, Chair; K. Wilson, Vice Chair; Basich, Belcher, Cole, Dobbs, Fuhrman, Hankins, Hargrove, Haugen, Leonard, Lundquist, McMullen, D. Nelson, Sanders, Sayan, Thomas, van Dyke, J. Williams, S. Wilson.

**RULES:** Representatives Ehlers, Chair; O'Brien, Vice Chair; Addison, Ballard, Barrett, Crane, Dellwo, Fisch, Gallagher, Hastings, Hine, J. King, R. King, Padden, C. Smith, Valle, Wilson.

**SOCIAL & HEALTH SERVICES:** Representatives Brekke, Chair; Day, Vice Chair; Armstrong, Ballard, Braddock, Brooks, Dellwo, Dobbs, Leonard, Lewis, Lux, Padden, Scott, Tanner, West, B. Williams, Winsley.

**STATE GOVERNMENT:** Representatives Belcher, Chair; Peery, Vice Chair; Baugher, Brooks, Fuhrman, Hankins, O'Brien, Sanders, Taylor, Todd, van Dyke, Vekich, Walk.

**TRADE & ECONOMIC DEVELOPMENT:** Representatives McMullen, Chair; Kremen, Vice Chair; Braddock, Day, Dobbs, Doty, Hargrove, J. King, Lundquist, May, Niemi, Rayburn, Schmidt, Schoon, Scott, Silver, L. Smith, Smitherman, Tanner, Thomas, van Dyke, Vekich, B. Williams, Wineberry.

**TRANSPORTATION:** Representatives Walk, Chair; Wineberry, Vice Chair; Baugher, Betrozoff, Bond, Brough, Fisch, Fisher, Gallagher, Hankins, Haugen, Kremen, Lundquist, McMullen, Patrick, Prince, Schmidt, C. Smith, Sutherland, Tanner, Thomas, Valle, Van Luven, J. Williams, K. Wilson, Zellinsky.



WAYS & MEANS: Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Brække, Bristow, Hastings, Hine, Holland, J. King, Locke, Long, Madsen, G. Nelson, Niemi, Rust, Sanders, Sayan, Silver, L. Smith, Smitherman, Sommers, Taylor, Tilly, Vander Stoep, B. Williams.

#### REPORT OF SPECIAL COMMITTEE

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

The report was received and the committee was discharged.

#### REPORT OF SPECIAL COMMITTEE

The Special Committee, appointed under the terms of Senate Concurrent Resolution No. 102, appeared at the bar of the House and reported that they had notified the Governor that the Legislature was organized and ready for business.

The report was received and the committee was discharged.

#### MOTION

On motion of Mr. J. King, the House was adjourned until 11:00 a.m., Tuesday, January 15, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk

## SECOND DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, January 15, 1985

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives L. Smith and Vekich, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Toshia Guerrero and Michael Waiste. Prayer was offered by Rabbi Ira Stone of Seattle.

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

## SPEAKER'S PRIVILEGE

The Speaker recognized the 1984 Olympia Lakefair Queen and appointed Representatives Belcher, Unsoeld, Vander Sloep and Dobbs to escort her to the rostrum.

The Speaker introduced Queen Anna Alexander and she briefly addressed the House.

The Speaker requested the escort committee to escort Queen Anna Alexander from the House Chamber.

## MESSAGES FROM THE GOVERNOR

January 14, 1985

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

In compliance with the provision of Section 11 of Article III of the Constitution of the State of Washington, the Governor hereby submits his report of each case of reprieve, commutation or pardon that he has granted since the adjournment of the 1984 Session of the Forty-eighth Regular Session of the Legislature, copies of which are attached.

Respectfully submitted,  
Robert E. Mack, Counsel.

## COMMUTATIONS, PARDONS, REPRIEVES BY THE GOVERNOR

WHEREAS, David Allan Girts pled guilty to the crime of Theft in the First Degree in King County Cause No. 82-1-01176-9 on May 24, 1982; and

WHEREAS, David Allan Girts promptly complied with the restitution condition placed on his probation resulting in a dismissal of the criminal charge and withdrawal of his guilty plea (and a substitution of not guilty plea entered) on June 7, 1982; and

WHEREAS, A Petition for Pardon for David Allan Girts pursuant to 18 U.S.C.S. Appendix I, §§ 1202 (a), 1203, was made on March 1, 1983, and subsequent investigation and supplemental materials indicate that the representations made in his Petition are meritorious, and having determined that it would be in the best interest of society, I, Governor John Spellman, do hereby grant a limited pardon to David Allan Girts authorizing David Allan Girts to receive, possess, and transport in commerce a firearm.

This pardon is limited to the purpose of providing David Allan Girts an exemption from federal firearm disabilities under 18 U.S.C.S., Appendix I, §§ 1201, 1202, and 1203(2). The intent of this authorization is to relieve David Allan Girts of liabilities incurred pursuant to his plea of guilty under King County Cause No. 82-1-01176-0 to the crime of Theft in the First Degree.

I have executed this Governor's limited pardon and caused the seal of the State of Washington to be affixed at Olympia, this 2nd Day of July, A.D. 1984.

(Seal) JOHN SPELLMAN, Governor.

WHEREAS, Gerald W. Crisman entered a plea of guilty to the crime of Assault in the Second Degree on March 31, 1966, in King County Cause No. 43963; and

WHEREAS, Gerald W. Crisman benefited from the Order of Dismissal of the charge of Assault in the Second Degree in King County Cause No. 43963 on January 2, 1968; and

WHEREAS, The Washington State Board of Prison Terms and Paroles has unanimously recommended that Mr. Crisman be granted permission to carry a concealed weapon and has based their recommendation on an investigation conducted by the Department of Corrections Community Services Division, Adult Probation and Parole, dated June 8, 1984, which substantially supports Mr. Crisman's application for pardon sufficient to receive, possess, or transport in commerce a firearm, I, Governor John Spellman, do hereby grant a limited pardon to Gerald W. Crisman authorizing Gerald W. Crisman to receive, possess, and transport in commerce a firearm.

This pardon is limited to the purpose of providing Gerald W. Crisman an exemption from Federal firearm disabilities under 18 U.S.C.S., Appendix I, §§ 1201, 1202, and 1203(2). The intent of this authorization is to relieve Gerald W. Crisman of the firearm liabilities incurred pursuant to his plea of guilty under King County Cause No. 43963 to the crime of Assault in the Second Degree.

I have executed this Governor's limited pardon and caused the Seal of the State of Washington to be affixed at Olympia, this 9th Day of November, 1984.

(Seal) JOHN SPELLMAN, Governor.

#### INTRODUCTIONS AND FIRST READING

HB 18 by Representatives Vander Stoep, Brekke, B. Williams, Tanner, Silver, Dobbs, Winsley and Sayan; by Legislative Budget Committee request

AN ACT Relating to publicly owned motor vehicles; and amending RCW 46.08.065, 46.08.066, and 46.08.067.

Referred to Committee on Transportation.

HB 19 by Representatives Madsen, Tanner, Lundquist and Fisher

AN ACT Relating to the division of land; and amending RCW 58.17.040.

Referred to Committee on Local Government.

HB 20 by Representatives Vander Stoep, Sayan and Dobbs

AN ACT Relating to the property tax rate computation for excess levies for school maintenance and operation levies; amending RCW 84.52.080; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 21 by Representatives Vekich, C. Smith, Rayburn, Chandler, Tilly and Sayan

AN ACT Relating to horticultural nursery dealers; amending RCW 15.13.250, 15.13.260, 15.13.270, 15.13.280, 15.13.470, and 15.13.490; and prescribing penalties.

Referred to Committee on Agriculture.

HB 22 by Representatives Vekich, Nealey, Baugher, Holland, Todd, Betrozoff, C. Smith, Isaacson, Doty, Unsoeld, Rayburn, Chandler and Sayan

AN ACT Relating to water rights; amending RCW 90.44.070, 90.14.140, and 90.44.060; creating a new section; and adding new sections to chapter 90.44 RCW.

Referred to Committee on Agriculture.

#### MOTION

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

## MESSAGES FROM THE SENATE

January 14, 1985

Mr. Speaker:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 1,

and the same is herewith transmitted.

William M. Gleason, Assistant Secretary.

January 15, 1985

Mr. Speaker:

The Senate has passed:

SENATE CONCURRENT RESOLUTION NO. 101,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE CONCURRENT RESOLUTION NO. 1.

## MOTIONS

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

On motion of Mr. J. King, HOUSE BILL NO. 12 was rereferred from Committee on Local Government to Committee on Energy &amp; Utilities.

On motion of Mr. Appelwick, the rules were suspended to allow consideration of House Floor Resolution No. 85-4.

## RESOLUTION

HOUSE FLOOR RESOLUTION NO. 85-4, by Representatives Wineberry, Wang and Lux

WHEREAS, January 15, 1985 is the fifty-sixth birthday anniversary of the Reverend Dr. Martin Luther King, Jr.; and

WHEREAS, The Reverend Dr. Martin Luther King, Jr. devoted his life toward improving the lives of the poor and oppressed in America, challenged injustice in our society, and endeavored to help human beings of all races live in freedom and with dignity; and

WHEREAS, This esteemed citizen's daily life demonstrated his faith in God and mankind, and gave hope and inspiration to millions by calling for creation of a world where prejudice, racial intolerance, poverty, hunger and disease would be overcome; and

WHEREAS, All citizens should be encouraged to reflect upon the wisdom of Dr. King by reexamination of his speeches and written word which shows us our obligation to provide for the basic needs of the poor and disadvantaged, to strive for a world without conflict, and to promote the concept of the nobility of every individual; and

WHEREAS, Dr. King was acclaimed internationally and awarded the Nobel Peace Prize in recognition of his leadership in and dedication to achieving through nonviolent efforts economic, educational and social equality for all persons; and

WHEREAS, This great American, while espousing his principles of pacifism, was assassinated, an act which deeply grieved every citizen of this nation and the world; and

WHEREAS, The Congress of the United States has honored Dr. King by creating a permanent federal holiday to commemorate the anniversary of his birth on the 15th day of January of each year; and

WHEREAS, Although the Washington State Legislature has established Dr. King's birthday as a school holiday, it has not yet seen fit to honor this man as has the Congress and other states by declaring his birthday a legal paid state holiday for all citizens;

NOW, THEREFORE, BE IT RESOLVED, That on this day, we, the members of the House of Representatives of the State of Washington, pause in our endeavors to pay

homage to one of America's most honorable and honored citizens, the Reverend Dr. Martin Luther King, Jr., in order to call to the attention of the residents of our state Dr. King's wisdom and accomplishments, and also to rededicate ourselves to the pursuit of his principles of love, freedom and equality for all; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives transmit a copy of this Resolution to the various educational institutions and organizations throughout the state which are dedicated to the achievement of racial equality.

Mr. Wineberry moved adoption of the resolution. Representatives Wineberry, Barrett, Wang and Allen spoke in favor of the resolution, and it was adopted.

MESSAGE FROM THE SENATE

January 14, 1985

Mr. Speaker:

The President has signed:

SENATE CONCURRENT RESOLUTION NO. 102.

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE CONCURRENT RESOLUTION NO. 102.

JOINT SESSION

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

The Speaker instructed the Sergeants at Arms of the House and the Senate to escort the President of the Senate, Lieutenant Governor John L. Cherberg, President Pro Tem H.A. "Barney" Goltz and Vice President Pro Tem A.L. "Slim" Rasmussen to seats on the rostrum.

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

The Clerk of the House called the roll of the House and all members were present except Representatives L. Smith and Vekich, who were excused.

MESSAGE FROM SECRETARY OF STATE

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

Mr. Speaker:

I, Ralph Munro, Secretary of State of the State of Washington, do hereby certify that, according to the provisions of RCW 29.62.130, I have canvassed the returns of the votes cast for and against the state measures which were submitted to the vote of the people at the state general election held on the 6th day of November, 1984, that the total number of ballots cast at this state general election was 1,931,546 and that the total number of votes cast for and against each of these measures was as follows:

INITIATIVE MEASURE 456

Shall Congress be petitioned to decriminalize steelhead, and state policies respecting Indian rights and management of natural resources be enacted?

YES ..... 916,855  
NO ..... 807,825

INITIATIVE MEASURE 464

Shall the value of trade-ins of like kind property be excluded from the selling price for the sales tax computation?

YES ..... 1,175,781

NO ..... 529,560

INITIATIVE MEASURE 471

Shall public funding of abortions be prohibited except to prevent the death of the pregnant woman or her unborn child?

YES ..... 838,083  
NO ..... 949,921

I, further certify that, according to the provisions of RCW 43.07.030, I have canvassed the returns of the votes cast at the state general election held on the 6th day of November, 1984, for all federal, statewide, and joint judicial offices, and that the votes cast for candidates to these offices are as follows:

PRESIDENT/VICE PRESIDENT OF THE UNITED STATES

Reagan/Bush	Republican	1,051,670
Mondale/Ferraro	Democrat	807,352
Serrette/Ross	New Alliance	1,654
Mason/Zimmerman	Socialist Workers	608
Bergland/Lewis	Libertarian	8,844
Johnson/Walton	Citizens	1,891
LaRouche/Davis	Independent Candidate	4,712
Hall/Davis	Communist	814
Holmes/LaRiva	Workers World	641
Richards/Salaman	Populist	5,724

U.S. REPRESENTATIVE, 1st District

John Miller	Republican	147,926
Brock Evans	Democrat	115,001

U.S. REPRESENTATIVE, 2nd District

Jim Klauder	Republican	93,472
Al Swift	Democrat	142,065
Gary Franco	Populist	6,855

U.S. REPRESENTATIVE, 3rd District

Herb Elder	Republican	61,219
Don Bonker	Democrat	150,432

U.S. REPRESENTATIVE, 4th District

Sid Morrison	Republican	150,322
Mark Epperson	Democrat	47,158

U.S. REPRESENTATIVE, 5th District

Jack Hebner	Republican	67,438
Thomas S. Foley	Democrat	154,988

U.S. REPRESENTATIVE, 6th District

Mike Lonergan	Republican	60,721
Norm Dicks	Democrat	124,367
Dan Blachly	Libertarian	2,953

U.S. REPRESENTATIVE, 7th District

Bob Dorse	Republican	71,576
Mike Lowry	Democrat	174,560
Mark Manning	Socialist Workers	1,710

U.S. REPRESENTATIVE, 8th District

Rod Chandler	Republican	146,891
Bob Lamson	Democrat	88,379

GOVERNOR

John Spellman	Republican	881,994
Booth Gardner	Democrat	1,006,993

LIEUTENANT GOVERNOR

Eleanor Lee	Republican	649,089
John A. Cherberg	Democrat	1,119,263

SECRETARY OF STATE

Ralph Munro	Republican	1,061,544
John O. McKee	Democrat	667,985

STATE TREASURER

William B. (Bill) Pilkey	Republican	627,913
Robert S. O'Brien	Democrat	1,030,483

Mack J. T. Barnette	Libertarian	66,908
STATE AUDITOR		
Robert B. Keene, Jr.	Republican	700,948
Robert V. (Bob) Graham	Democrat	997,326
ATTORNEY GENERAL		
Kenneth O. Eikenberry	Republican	1,019,495
Phil Talmadge	Democrat	777,175
COMMISSIONER OF PUBLIC LANDS		
Brian Boyle	Republican	899,628
Gene Wiegman	Democrat	693,596
William L. Jennings	Independent Candidate	95,276
INSURANCE COMMISSIONER		
Richard G. (Dick) Marquardt	Republican	985,160
James E. (Jim) Hoffman	Democrat	697,590
SUPERINTENDENT OF PUBLIC INSTRUCTION		
Frank Buster Brouillet	Nonpartisan	855,659
Shirley A. Galloway	Nonpartisan	782,387
STATE SUPREME COURT, Position 1		
William C. Goodloe	Nonpartisan	745,901
Dale M. Green	Nonpartisan	659,345
STATE SUPREME COURT, Position 2		
Carolyn R. Dimmick	Nonpartisan	1,105,375
STATE SUPREME COURT, Position 3		
Keith Callow	Nonpartisan	847,082
Edward Heavey	Nonpartisan	532,710
SUPERIOR COURT, Benton-Franklin, Position 4		
Robert S. Day	Nonpartisan	36,963
SUPERIOR COURT, Benton-Franklin, Position 5		
Duane E. Taber	Nonpartisan	36,285
SUPERIOR COURT, Chelan-Douglas, Position 1		
Charles W. Cone	Nonpartisan	19,870
SUPERIOR COURT, Chelan-Douglas, Position 2		
Fred Van Sickle	Nonpartisan	19,631
SUPERIOR COURT, Ferry-Pend Oreille-Stevens, Position 2		
Larry M. Kristianson	Nonpartisan	13,565
SUPERIOR COURT, Island-San Juan, Position 1		
Howard A. Patrick	Nonpartisan	18,803
SUPERIOR COURT, Island-San Juan, Position 2		
Richard L. Pitt	Nonpartisan	18,668
SUPERIOR COURT, Mason-Thurston, Position 1		
Rick Strophy	Nonpartisan	35,005
Ralph G. Swanson	Nonpartisan	31,109
SUPERIOR COURT, Mason-Thurston, Position 3		
Robert J. Doran	Nonpartisan	46,774
SUPERIOR COURT, Mason-Thurston, Position 4		
Daniel J. Berschauer	Nonpartisan	45,596
SUPERIOR COURT, Mason-Thurston, Position 5		
Carol A. Fuller	Nonpartisan	48,482
SUPERIOR COURT, Pacific-Wahkiakum		
Herbert E. Wieland	Nonpartisan	7,352

IN WITNESS WHEREOF, I have set my hand and affixed the seal of the state of Washington, this 14th day of January, 1985.

(Seal)

RALPH MUNRO, Secretary of State

The Speaker presented the gavel to the President of the Senate, John Cherberg.

The President appointed Senators Bender, Conner, Benitz and Bluechel and Representatives Armstrong, Niemi, Dellwo, Schmidt and Brough to escort the Supreme Court Justices to seats within the House Chamber.

The President appointed Senators Rinehart, Hansen, Barr and Kiskaddon and Representatives Ebersole, Sutherland and Taylor to escort the elected state officials to seats within the House Chamber.

The President appointed Senators Williams and Metcalf and Representatives P. King and West to escort Governor John Spellman from the State Reception Room to the rostrum.

The President of the Senate introduced Governor Spellman.

#### GOVERNOR'S ADDRESS

#### ADDRESS BY GOVERNOR SPELLMAN

Governor Spellman: "Mr. President, Mr. Speaker, esteemed members of the Supreme Court, statewide elected officials, members of the House and Senate, ladies and gentlemen: Four years ago I stood here with a song in my heart anticipating the future of the State of Washington. Our very distinguished presiding officer coaxed that song from my heart as he ended the ceremony and we talked about the sun that was going to come out tomorrow. Throughout some of the most difficult years in the history of the state of Washington, we maintained the optimism, thinking the sun would come out and it did. The state of the State of Washington is very good. The prospects for the State of Washington are even better. We have entered into the period that has been anticipated since the first territorial governor in all of the addresses that have ever been made--the Century of the Pacific has emerged. The state of Washington emerges as a leader in that new era of prosperity and amity between nations, with the State of Washington being in key position for the future of the United States.

"We have not kept our light hidden under a bushel basket. We have told the world of the grandeur and magnificence and the art that exists here in the State of Washington. Tourists from around the world are flocking in enjoying and adding to our economy. We have renewed friendships throughout the world and established new relationships with major nations of the world. The result will be, indeed, prosperity for our children and their children to come. Perhaps even more importantly, a strengthening of the bonds of friendship and understanding between the people of the world, an enhancement of the peace that must exist in the world.

"We have acknowledged that the bedrock upon which the strength of the state of Washington will be built and prosperity and our trade is in the education of our children. We have spent many years analyzing the educational system of this state and the opportunities for enhancement of that system. We are now in a position where that constitutionally-mandated age-old duty of the state of Washington, to educate, is being one hundred percent funded by the State of Washington. We must not, in our enthusiasm to get even better education, ignore higher education, which, even though it is not written specifically in the Constitution, is very much a part of the total educational system and of the state's duty to educate. Without education all of the dreams of this state will never be met. All of the opportunities will never be achieved. We have reaffirmed, sometimes under difficult circumstances, the commitment of the State of Washington to its blessed environment. We have embarked upon projects to maintain the quality of the water in the smallest brook to the great Puget Sound and to clean up the caustic wastes that have existed. We have, with vigor, gone forth to find them, identify them and do something about them. The people of this state will not be tolerant of anything other than clean water, clean air, clean land and an appreciation of the environment for which we are all stewards.

"Domestic tranquility--one of the reasons why governments exist--in the State of Washington, we have contributed to the domestic tranquility by a new emphasis on management and proper structuring of our correctional system. We have acquired new facilities; we have reached a point now where with adequate space, we can separate those from society who should be separated from society and we can also have the programs for education and rehabilitation in a less crowded atmosphere. Domestic tranquility cannot exist if the government itself is in a shambles, if the government itself is in a state of chaos. We have made great progress in restoring to the state its own intermanagement. This is the first biennium



in a very long time in which the state is really living within its revenue. There is no more borrowing of a month from the next biennium. The state is not borrowing for cash flow and it should never again; if need never again. The state now engages in generally-accepted accounting principles and it has for three years running, had audited financial statements for the first time in the history of the state and is one of the few states in the United States that has done that. These good practices allow us to analyze what we are doing, what we are achieving and to go forth. We have had a lot of management studies across the state in the last few years and without exception, we found out that the program wasn't as bad as everybody thought it was, but the data was lacking to analyze. The data was lacking to probe improvement. In tough times it is very difficult to put the dollars into the systems of a data because the people's needs are very great. It is important though that we do better in those areas; that we put the necessary dollars into the accounting and the data systems, so that we can do the better job in all areas of both schools and the environment.

"We have ceased the improper practice of using capital funds for operating expenses and before you is a six-year capital plan—a first in the history of the state—which allows us to think ahead. We will build the facilities necessary for the growth and the maintenance of a sound state. Statewide, the state of the state is very good. The state of the economy is strong. We have long awaited the day when we could say that and yet, even now, it is apparent that expenditure anticipation exceeds expenditure ability. I suspect that will always be the case. If we were to meet all of that pent-up anticipation for expenditures, we would have a pervasive, powerful, prying government that would dominate all and we would have families and taxpayers who were in a state of poverty, and an economy that was in a state of being damped down. The answer to the problems of the state for a sound growth of its economy, its education, its environmental problems is growth of jobs and economic development within the state.

"I have in the past, and I will not today, talk about economic development and jobs and the like. They are two old plights. The systems are there—the industrial revenue bonds program, the housing finance program, the tourism program, the world trade program. I will not linger on that, but it is important to acknowledge that there are pillars upon which the economy of this state will depend. They are agriculture, our natural resources industry—fishing and timber—the services we provide one another, technology and trade. Always, education must be added to any such group. To the extent any part of that group is ignored, it is likely the entire state suffers. Each part must be nurtured. Some parts need a great deal of nurturing and it seems to me it is our mutual task to make sure that occurs.

"Having presided over what was known as the Boeing—bust of the early 70s, I learned an important lesson and I have told it to economic development groups throughout the state for some time. I can't miss the opportunity to mention it again. That is that economic development and jobs' programs are not something that we can have the luxury of turning our attention to only in bad times, as a matter of fact if we do, we are wasting money and we are wasting effort and we're not accomplishing anything. It is almost like a tribal ritual that whenever the economy goes bad and there's unemployment, we start—we start committees, we start actions—and we talk about it and when the adverse situation goes away, we think we have solved the problem. Of course, the problem is solved without all those activities. It is important that we maintain a long-term commitment to jobs and economic development, year in and year out, in order to maintain the stability of the economy and the jobs and the families within the state of Washington.

"Certainly, no person in this room, even the freshmen, can help but take some pride in having hung in there during some very tough times. We cannot help but feel pride for working the difficult problems. I thank you; I thank you for cooperation. I remember when our distinguished senior statesman, Senator Magnuson, stood here (not that long ago) and gave one of his secrets of success and that was that we should, if we didn't agree, disagree without being disagreeable. By and large we have been able to carry that out and I want to thank you for it. There are many people who have contributed to the common will of the state of Washington, many seated in front of us, and many in the various departments of state government. I will not enumerate. There is one person who I think has contributed a great

deal, sometimes with some anonymity, and that is the first lady of each governor and she is there again today. Lois has been quietly, not always quietly, personally, made a tremendous impact I think. She doggedly hung in there for the council against child abuse. She suffered some disappointment and then went directly to the legislature on the Council for Voluntary Action. The volunteer programs, and the recognition of the volunteers that have been here in these chambers, I think are an inspiration and, again, something that should not only exist in tough times, but should be nurtured and grow so there will be a place in good times and bad times. The food banks and the network of stores, and shippers and growers, who have served with the network for food distribution in the state—and the art of the northwest which was brought to the Governor's mansion—and the home that was established not just for the children and me, but for all of us—the Governor's home, it is something that I thank Lois for.

"I have been in government service, almost exactly to the day, eighteen years. I have enjoyed every day of it. The challenges sometimes seemed insurmountable, but the optimism was more than enough to carry through those tough times. I believe government is important. I believe it is a high calling. I believe it is a civilizing influence that keeps people working together for common goals. In this state, it is a means by which we reach a consensus as to what tasks we shall take up mutually that cannot be done by individuals or cannot profitably be done by the private sector. It is a calling into which I hope many young people will come and will find the inspiration that will come from you here because it is a rare commodity in the world today and it is something I will always cherish, as I will the time I have served here as governor. I have mentioned optimism two or three times in these remarks, and I think it is the most important asset that we can have here in the State of Washington, in our neighborhoods, our families and in our government. There are a lot of doom and gloomers, but there is everything to be optimistic about in the state of Washington. It is the most glorious place on the face of the earth in which to live; it has people who are energetic, who have always out-performed people in other parts of the country, and it is sitting on the springboard of prosperity for generations to come. The world has changed its entire balance toward the Pacific Northwest.

"Washington is a state that has always had promise; it is achieving rapidly that full promise and I think we are just at the point of the preamble to the glorious future in this state.

"Lois and I wish Booth and Jean Gardner the wisdom and the tenacity and the strength to continue to assist in achieving that destiny, which is abundantly clear and magnificent for this state. It is time now to bid farewell and I cannot do so without saying how grateful I am to each of you for the contributions, for the consultations, for the actions that have occurred along the way. I, indeed, recall the first night we met Olympia, a consensus reached within our own family and that was that we shouldn't be doing this if we did not enjoy it, and we have enjoyed it. I am very excited about the future of this state. I'm also very excited about the future out there for Lois and myself. May God bless each of you and God bless the State of Washington."

The President instructed the committee to escort Governor Spellman to the State Reception Room.

The President instructed the committee to escort the Supreme Court Justices to the State Reception Room.

The President instructed the committee to escort the State Elected Officials to the State Reception Room.

On motion of Mr. J. King, the Joint Session was dissolved.

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

The Speaker instructed the Sergeants at Arms of the Senate and the House to escort President of the Senate, Lieutenant Governor John Cherberg, President Pro Tem H.A. "Barney" Goltz and Vice President Pro Tem A.L. "Slim" Rasmussen and the Senators from the House Chamber to the Senate.

MOTION

On motion of Mr. J. King, the House was adjourned until 11:00 a.m.,  
Wednesday, January 16, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk

## THIRD DAY

---

MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, January 16, 1985

The House was called to order at 11:00 a.m. by The Speaker. d.263The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Blake Still and Steve Hart. Prayer was offered by Reverend Ray Hood of the Lacey Church of God.

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

## INTRODUCTIONS AND FIRST READING

HB 23 by Representatives Haugen, Allen, Miller and Rayburn

AN ACT Relating to local government; amending RCW 35.58.160, 52.14.010, 53.12.260, 54.12.080, 56.12.010, 57.12.010, and 70.44.050; and adding a new section to chapter 28A.57 RCW.

Referred to Committee on Local Government.

HB 24 by Representatives Haugen, Brough and P. King

AN ACT Relating to water and sewer connection charges; and amending RCW 35.92.025.

Referred to Committee on Local Government.

HB 25 by Representatives Haugen and Brough

AN ACT Relating to local government debt limits; and amending RCW 39.36.020.

Referred to Committee on Local Government.

HB 26 by Representatives Haugen, Brough and P. King

AN ACT Relating to local government; and adding a new chapter to Title 36 RCW.

Referred to Committee on Local Government.

HB 27 by Representatives Haugen, Brough, Lundquist, P. King and Rayburn

AN ACT Relating to code cities; and amending RCW 35A.12.010 and 35A.13.010.

Referred to Committee on Local Government.

HB 28 by Representatives Haugen, Brough, P. King, Crane and Rayburn

AN ACT Relating to city and town budgets; amending RCW 1.16.020, 35.32A.010, 35.33.020, and 35A.33.020; adding a new chapter to Title 35 RCW; adding a new chapter to Title 35A RCW; and prescribing penalties.

Referred to Committee on Local Government.

HB 29 by Representatives Tanner, Sutherland, P. King and Long

AN ACT Relating to the state schools for the blind, deaf, and sensory handicapped; amending RCW 72.01.050, 72.05.010, 72.05.130, 72.40.010, 72.40.020, 72.40.031, 72.40.040, 72.40.050, 72.40.060, 72.40.070, 72.40.080, 72.40.090, 72.40.100, 72.41.010, 72.41.020, 72.41.040, 72.42.010, 72.42.020, and 72.42.040; adding new sections to chapter 72.40 RCW; adding a new section to chapter 72.41 RCW; adding a new section to chapter 72.42 RCW; creating new sections; repealing RCW 72.05.140, 72.40.001, 72.41.050, and 72.42.050; declaring an emergency; and providing an effective date.

Referred to Committee on Social & Health Services.

HB 30 by Representatives Locke, Scott, Tilly, Belcher, Miller, Patrick, K. Wilson, Lundquist, Van Luven, Haugen, Wang and Todd

AN ACT Relating to deferred prosecution; and amending RCW 10.05.010 and 10.05.060.

Referred to Committee on Judiciary.

HB 31 by Representatives Haugen, Lundquist, B. Williams, McMullen and K. Wilson

AN ACT Relating to food fish and shellfish; and amending RCW 75.12.040.

Referred to Committee on Natural Resources.

HB 32 by Representatives R. King, Fisch, Miller, Wang, Winsley, Allen, Fisher, O'Brien, P. King, Sayan, Basich, McMullen, Lux, Brekke and Rayburn

AN ACT Relating to labor relations in institutions of higher education; amending RCW 41.58.020; adding a new chapter to Title 41 RCW; repealing RCW 28B.52.010, 28B.52.020, 28B.52.030, 28B.52.035, 28B.52.050, 28B.52.060, 28B.52.070, 28B.52.080, 28B.52.090, 28B.52.100, and 28B.52.200; and providing an effective date.

Referred to Committee on Commerce & Labor.

HB 33 by Representatives Wang, Patrick, Sayan, Basich and K. Wilson

AN ACT Relating to voluntary disqualifications for unemployment compensation; and amending RCW 50.20.050.

Referred to Committee on Commerce & Labor.

HB 34 by Representatives Smitherman, Lewis, Wang, Zellinsky, Thomas, Winsley, Ebersole, Tanner, Kremen, Hargrove, Haugen and Isaacson

AN ACT Relating to water heaters in multiple-unit residences; and amending RCW 19.27.130.

Referred to Committee on Commerce & Labor.

HB 35 by Representatives Armstrong, G. Nelson and Niemi; by Lieutenant Governor request

AN ACT Relating to professional service corporations; and amending RCW 18.100.050.

Referred to Committee on Judiciary.

HB 36 by Representatives Patrick, Locke, Van Luven, McMullen, Padden, Armstrong, Tilly, Schoon, West, R. King, Lundquist, P. King, Fisch, Crane, Scott and G. Nelson

AN ACT Relating to isolating and recording telephone communications in emergency situations; and amending RCW 70.85.100 and 9.73.030.

Referred to Committee on Judiciary.

HB 37 by Representatives D. Nelson, Brough, Rust, Allen, Unsoeld, R. King, P. King, Fisch, McMullen and Lux

AN ACT Relating to used oil recycling; and adding a new section to chapter 70.95 RCW.

Referred to Committee on Environmental Affairs.

#### MOTION

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

SCR 101 by Senators Williams and Conner

Extending the Joint Committee on Telecommunications Regulation.

On motion of Mr. J. King, the rules were suspended and Senate Concurrent Resolution No. 101 was advanced to second reading and read the second time in full.

Mr. J. King moved that the rules be suspended, the second reading considered the third, and the resolution be placed on final passage.

Mr. Nealey spoke in favor of the motion and it was carried.

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

#### ROLL CALL

The Clerk called the roll on adoption of Senate Concurrent Resolution No. 101, and the resolution was adopted by the following vote: Yeas, 96; nays, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzozoff, Braddock, Brække, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J. King P., King R., Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D., Nelson G., Niemi, Nuttley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C., Smith L., Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Loven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams J., Wilson K., Wilson S., Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representatives Bond, Williams B - 2.

Senate Concurrent Resolution No. 101, having received the constitutional majority, was declared adopted.

#### MESSAGE FROM THE SENATE

January 16, 1985

Mr. Speaker:

The President has signed:

#### HOUSE CONCURRENT RESOLUTION NO. 1,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### JOINT SESSION

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

The Speaker instructed the Sergeants at Arms of the House and Senate to escort the President of the Senate, Lieutenant Governor John Cherberg, President Pro Tem H.A. "Barney" Goltz and Vice President Pro Tem A.L. "Slim" Rasmussen to the rostrum.

The Speaker instructed the Sergeants at Arms to escort the Senators to seats within the House Chamber.

The Speaker presented the gavel to President Cherberg.

The Secretary of the Senate called the roll of the Senate, and all members were present except Senator Guess, who was excused.

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

The President appointed Senator Talmadge and Representative Armstrong to escort Chief Justice James Dolliver to the rostrum.

The President appointed Senators Halsan, McManus, McCaslin and Craswell and Representatives Hargrove, Scott, Long and May to escort the Supreme Court Justices to seats within the House Chamber.

The President appointed Senators Warnke, Granlund, Sellar and Lee and Representatives Belcher, Baugher, Nealey and Thomas to escort the Elected State Officials to seats within the House Chamber.

The President appointed Senators Bauer, Newhouse and Wojahn and Representatives Gallagher, Brooks and R. King to escort former elected officials to seats within the House Chamber.

The President introduced Lloyd Andrews, Superintendent of Public Instruction from 1957 to 1961; Bert Cole, Commissioner of Public Lands from 1953 to 1981 and Jack Taylor, Commissioner of Public Lands from 1941 to 1945 and 1949 to 1953.

The President appointed Senator Fleming and Representative O'Brien to escort Former Governor Albert Rosellini to a seat on the rostrum.

The President appointed Senators Bottiger and Hayner and Representatives Grimm and Winsley to escort Governor-elect and Mrs. Booth Gardner to the rostrum.

President Cherberg introduced members of Governor-elect Gardner's family:  
 Doug, age 22, a senior at Pacific Lutheran University in Tacoma;  
 Gail, age 21, a junior at Dartmouth College, Hanover, New Hampshire;  
 Millie Gardner, Governor-elect Gardner's stepmother;  
 Joan Blethan, daughter of Millie Gardner;  
 Norton Clapp, Governor-elect Gardner's stepfather and his wife, Jacqueline;  
 Bill Clapp, Governor-elect Gardner's brother and his wife, Christina;  
 Vera and Max Davison, Mrs. Gardner's mother and stepfather.

President Cherberg: "The purpose of this Joint Session is to administer the oath of office to the constitutionally-elected officials of the State of Washington and to receive the Inaugural Address of the Governor."

The National Anthem was sung by Jan Stentz.

Prayer was offered by Pastor Bob Reith of Tacoma:

"Our Gracious Heavenly Father, we thank You for the privilege of coming together today in this house of assembly. We are reminded of the privileges and opportunity of living in a free country, a land given by Thee, not only the home of our fathers, but our home where we intend to build our future. We thank You for those who have served in this Legislature, concerned for the welfare of the people of our state. We bring before You today, especially those who take their oath of office, that Father, You would remind them of the privilege and the opportunity where they are truly elected and called by the citizens of our state, but we realize that it is also to a position which is given by You. So Father, we pray that You would give them the humility as they stand before You and the courage as they stand before us that they might be men of integrity and confidence and courage and that they might lead us in doing that which is right and best for us individually and corporately.

"We pray especially today for Governor-elect and his wife, Booth and Jean Gardner. We thank You for them. Father, we pray that You would give them the vision that they might lead us; that You might give them a spirit of humility and meekness that they might draw us around them and, Father, that they might walk before us and lead us as Your representatives. So we pray that You would give them the vision as unto Moses, the heart as as unto David and the confidence as unto Paul. We thank You for the privilege of being together. We ask Your blessing upon this assemblage and we pray for direction and guidance for each of those taking office today. In Jesus' name. Amen."

The President returned the gavel to the Speaker.

#### OATH OF OFFICE

Justice Utter administered the oath of office to Lieutenant Governor John A. Cherberg and the Speaker presented him the Certificate of Election.

Justice Brachtenbach administered the oath of office to Secretary of State Ralph Munro and President Cherberg presented him the Certificate of Election.

Justice Dore administered the oath of office of State Treasurer Robert F. O'Brien and President Cherberg presented the Certificate of Election to him.

Justice Pearson administered the oath of office to State Auditor Robert V. Graham and President Cherberg presented him the Certificate of Election.

Justice Callow administered the oath of office to Attorney General Kenneth O. Eikenberry and President Cherberg presented him the Certificate of Election.

Justice Goodloe administered the oath of office to Superintendent of Public Instruction Frank B. Brouillet and President Cherberg presented the Certificate of Election to him.

Justice Durham administered the oath of office to Commissioner of Public Lands Brian J. Boyle and President Cherberg presented the Certificate of Election to him.

Justice Andersen administered the oath of office to Insurance Commissioner Richard G. Marquardt and President Cherberg presented the Certificate of Election to him.

Chief Justice James Dolliver administered the oath of office to Governor-elect Booth Gardner and President Cherberg presented him the Certificate of Election.

The President introduced Governor and Mrs. Booth Gardner.

#### INAUGURAL ADDRESS

"Mr. President, Mr. Speaker, Mr. Chief Justice, distinguished Justices of the Supreme Court, members of the Legislature, honored elected officials and fellow citizens of Washington State:

"Ninety-six years ago, at his inauguration as Washington's first governor, Elisha Ferry said: 'With resources superior to those of any equal area, with a population as enterprising as it is courageous, with a climate which commends itself to all who experience it, occupying a position at the gateway of Oriental and Occidental commerce of the future, there is no reason why the state of Washington should not rank among the most prominent States of the Union, nor why our people should not enjoy the priceless blessings of prosperity, health and happiness.'

"Looking back over our state's first century, we can see that Governor Ferry had good reason for his optimism. He saw accurately that the state's key location, its abundant resources and its enterprising population would result in growth and prosperity.

"Now, as we stand on the brink of Washington's second century, we must keep Elisha Ferry's flame of optimism alive as we accept the responsibilities of governance. They include:

- A responsibility to turn over a clean and safe environment to our children;
- A responsibility to provide our children with the best education possible;
- And a responsibility to diversify and expand our economy, bringing jobs to the unemployed, food to hungry and a stable and predictable revenue base to support basic state services.

"The burden of these responsibilities is compounded by serious problems that we face as a state. Nearly 200,000 of our citizens who want work cannot find it. Much of our abundant agricultural harvest has no market. Our timber industry faces high transportation costs to the fastest growing markets, a strong dollar that limits our exports, and competition from cheap foreign imports and faster growing Southern timber. Overfishing and poor management have vastly depleted our salmon resources to the point that only the strongest action has any chance to restore the fishery to its former success. Pollution threatens our shellfish harvests. Roads, bridges and public buildings are in critical need of repair at a time when our revenue base simply will not permit us to address all our needs. Many people have lost confidence in the ability of our public schools and institutions of higher learning to provide quality education. For too long, these problems have been pushed ahead of us, and now it's collection day. These problems are not an indictment, but our failure to begin to solve them would be.

"The challenges we face are difficult, but difficulty is an excuse that history never accepts. And we do have the chance -- a golden opportunity -- to make history here in Washington state. History lies in transforming Washington into the Gateway of the future. We must work to solve our immediate problems, but we must also begin to think and to reach beyond the next four years. We must begin to put in place the foundation for our second century. We can begin by utilizing our greatest asset -- one which is too often overlooked -- our people.

"Adam Smith first observed that the real wealth of nations is in their people and nowhere is that more true than here in our state of Washington. This can be seen in our gleaming cities where, with tremendous pride, the people have put together the resources to create nationally famous landmarks such as the Space Needle and the Pike Place Market in Seattle, Riverfront Park and the Opera House in Spokane, and the Pantages Theater and the Tacoma Dome in my home town. The tremendous resources of our people can be found every evening as hundreds of volunteer boards gather in communities all across the state. These volunteer organizations give meaning to the word community. Without volunteers, in this age



of limited resources and government cutbacks, thousands of our poor, handicapped and elderly citizens would not be able to participate in the life of the greater community that most of us take for granted.

"We must utilize yet another of our unnoticed assets -- the energy and talents of the people who work in state and local governments. Their efforts can provide the firm foundation for a state community built on cooperation and trust between government and citizens. I want to take a moment to talk directly to my fellow state employees. In the week since the election, I've spent a good deal of time observing your work firsthand. In agency after agency, I've seen the hard work and dedication to the common good that I expected. I want you to know that I have faith and confidence in you. Our challenge, working together, is to make the people of this state proud of their government. We must also have cooperation here in the halls of this Legislature, and between the legislative and executive branches of government. We have with us a host of pressing problems. I can as Governor address those problems, but I cannot solve them without the help and support of the legislature. In each house there is an aisle which separates the two political parties. Between the two houses there is a corridor which separates them. One floor in this building separates the executive from the legislative branch of government. These barriers can be passageway as we join our talents in serving the people and doing their business. Those things which unite us are far greater than those barriers which separate us. Never has it been more essential for state government to be united. Every responsible economist is predicting some tight times in the state for the next two years. Government must set some priorities which acknowledge these forecasts. Here are mine:

-- First, we must develop an approach to economic growth which will give us a diversified economy based on the realities of a post industrial world.

-- Second, we must sustain necessary services to help those in need and to protect the public health and safety;

-- Third, we must end the practice of pushing our problems into the future and onto the shoulders of our children, whether the subject is pensions or repairs to our infrastructure;

-- Fourth, we must create a budget reserve large enough to absorb unanticipated drops in revenue without having to resort to session after session and service cut after service cut to balance the budget. In my mind, these are the things that are most important and areas in which I'm most hopeful something can be accomplished.

"These are our immediate objectives, but we need to do more. We must start by tending to those things which will provide the foundation for our future. We must start with education, the environment and economic development -- even if funding limitations do not allow us to do all that we would like.

"In education, I want to achieve excellence at all levels and in every classroom of our K-12 and higher education systems. There is much that needs to be done. Responsible studies, such as the one done by the Washington Roundtable and the 3609 Commission, point to the needs. What is not evident is the means to pay for excellence. Today, state government cannot afford to do all that it should in education. The economic climate prevents the full commitment of resources necessary to rebuild our education system. But we must begin the process. We must demonstrate our commitment to improving the schools. A place to begin is to double the preschool enrollment of those children who are identified as being at-risk, and I will propose legislation that will accomplish this by the end of the biennium. No area of government was hit harder during the recession of the last four years than higher education. When hard times come, our universities and community colleges are the easiest place to cut tax dollars -- but it is not the wisest area to cut. The economic development of this state will rely on our commitment to rebuild our higher education system. In the next four years, my efforts will center on expanding the tax base through expansion and diversification of the economy. As the economy expands, we must make the commitment to the improvement of higher education. If we continue to face difficult times in the coming two years, we must recognize that higher education cannot tolerate more cuts.

"Next I want to talk about Puget Sound and the state's other vital water resources. I am determined to stop further pollution. Our efforts can begin in this

biennium by strengthening our ability to identify pollution sources and by agreeing on a long-term plan against which all actions of the state and local governments can be measured. I will propose legislation enhancing the ability of the Puget Sound Water Quality Authority to achieve these results. I will also ask you to approve legislation that will immediately improve the Department of Ecology's ability to monitor and enforce restrictions on wastewater discharge into the Sound and other waterways.

Finally, commerce and economic development. I see economic development as the best long-term answer to the financial problems that plague this state. In the short-term, there are things we can and must do. A strategic plan for economic development must be developed for our state. I will take the lead in developing this plan, but local economic development groups, the business community, labor and environmental interests must take their part if the plan is going to be realistic. Once we have this plan, I will have the Department of Commerce and Economic Development organized and ready to carry it out with the highest professionalism and commitment. There is no graphic reminder of the need for economic development than what is happening today in towns like Raymond and Shelton, where people have been forced out of employment due to mill closures and our changing economy. Many are people who have spent ten, twenty, even thirty years in a job and now find that their skills may not be needed again, at least in the foreseeable future. It is not enough to tell these people to wait until the economy booms again. It's not going to be easy for towns like Raymond and Shelton, but there are a couple of things we can do. Our state economic development strategy must explicitly address the needs of these communities. As we recruit new jobs from other states and other parts of the world, we must match them to the resources of our communities in economic distress. No action will be more important to the future of the entire state than a targeted recruitment of new industries for communities in need. I will propose legislation creating a process to designate hard hit communities as economically distressed areas. Funds from the Job Training Partnership Act and Community Economic Revitalization Board will be directed toward these communities.

There are two further subjects we must address. First, health care costs. We can begin now to contain the rising cost of health care. Next to education, these costs are the largest in our state budget. Over the last decade they have been rising at rates far higher than inflation. We must join with the private sector to bring these costs under control. I will ask you to approve several measures to give the state the authorities and structures it needs to contain health care costs.

Finally, we must search for other ways to save tax dollars without sacrificing vital services. When I became Pierce County Executive I was faced with a government deeply in debt and workers demoralized by a system that failed to recognize their value. At that time, I had the authority to reorganize government. This allowed me to restructure the county agencies, eliminate duplication and unnecessary management, and make each employee's work more meaningful. We were also able to improve service to the citizens.

It is time state government does the same. I will work with the Legislature, and support legislation, to streamline state government. It is the only way to turn the rhetoric of government efficiency into action. Our times are difficult, but they offer great opportunity. It is in times like these that people work best together, take risks with new ideas and fresh approaches, and lay solid groundwork for better times.

As I mentioned at the beginning of this address, we are standing at the brink of the state's second century. I believe we can and should use the time between now and the celebration of this anniversary in a spirit of rediscovery, rededication and renewal.

-- Rediscovery of our rich heritage and the many valuable resources we have in our state;

-- Rededication to the spirit of cooperation, working together and sharing together has characterized this state's greatest moments since the pioneer days;

-- and renewal of our institutions of government, to make them responsive to the needs of the future. We should spend the next four years actively preparing for our second century.

"The age of the Pacific is upon us. The focus of the world is moving away from the European continent; it is turning toward the nations and states of the Pacific Rim. And we are the natural gateway to the Pacific and to the bright economic future that it holds. We can make this our future. It will take the same strong effort that our pioneer ancestors used to transform a wilderness into the Evergreen State. There will be mistakes along the way, but we will be making progress if each mistake we make is a new one. I am honored today to take up these challenges. I hope that all of you -- legislators, state employees and officials, and the citizens throughout this state -- will join with me in a commitment to our future. Washington will become the Gateway of the Future. We have it within our power. Let us match our power to the possibilities of progress and build our Gateway of the future. Let's get to work. Thank You."

The President instructed the committee to escort Governor and Mrs. Gardner to the State Reception Room.

The President instructed the committee to escort Former Governor Rosellini to the State Reception Room.

The President instructed the committee to escort the former elected officials to the State Reception Room.

The President instructed the committee to escort the state elected officials to the State Reception Room.

The President instructed the committee to escort the Supreme Court Justices to the State Reception Room.

#### MOTION

On motion of Mr. J. King, the Joint Session was dissolved.

The President returned the gavel to the Speaker.

The Speaker instructed the Sergeants at Arms of the Senate and House to escort President Cherberg, President Pro Tem Goltz and Vice President Pro Tem Rasmussen to the State Reception Room.

The Speaker instructed the Sergeants at Arms to escort the Senators to the Senate Chamber.

#### MOTION

On motion of Mr. J. King, the House adjourned until 11:00 a.m., Thursday, January 17, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk

## FOURTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Thursday, January 17, 1985

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Greg Jensen and Marc Ehlers. Prayer was offered by Reverend Ray Hood of the Lacey Church of God.

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

## MESSAGE FROM THE SENATE

January 16, 1985

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 3065,

SENATE CONCURRENT RESOLUTION NO. 105,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

## INTRODUCTIONS AND FIRST READING

HB 38 by Representatives Grimm, B. Williams, Brække, Vander Stoep, Tilly, P. King and Peery; by Legislative Budget Committee request

AN ACT Relating to the liquor revolving fund; amending RCW 66.08.190; adding a new section to chapter 66.08 RCW; and repealing RCW 66.08.200 and 66.08.210.

Referred to Committee on Ways & Means.

HB 39 by Representatives Lux, Winsley, Zellinsky, Prince and P. King

AN ACT Relating to insurance; amending RCW 48.02.120, 48.05.200, 48.15.160, 48.17-.010, 48.17.520, 48.18.110, 48.20.420, 48.20.450, 48.20.470, 48.21.150, 48.30.010, 48.30.140, and 48.42.010; and repealing RCW 48.17.080.

Referred to Committee on Financial Institutions & Insurance.

HB 40 by Representatives Lux, Winsley, Zellinsky, Prince, Fisch, Wang and P. King

AN ACT Relating to life insurance; and adding a new section to chapter 48.23 RCW.

Referred to Committee on Financial Institutions & Insurance.

HB 41 by Representatives Lux, Winsley, Zellinsky, Prince, Schoon, Wang, Miller and Tanner

AN ACT Relating to insurance; and amending RCW 48.18.120.

Referred to Committee on Financial Institutions & Insurance.

HB 42 by Representatives Lux, Winsley, Zellinsky and Prince

AN ACT Relating to property insurance; and adding a new section to chapter 48.27 RCW.

Referred to Committee on Financial Institutions & Insurance.

HB 43 by Representatives Lux, Winsley, Zellinsky and Prince

AN ACT Relating to insurance; and adding a new section to chapter 48.05 RCW.

Referred to Committee on Financial Institutions & Insurance.

HB 44 by Representatives Crane, Brough, Rayburn, May, Walk, Patrick, Hine, Bristow, Lundquist, Kremen, R. King, Schoon and Fisch

AN ACT Relating to the release of autopsy and post mortem reports; and amending RCW 68.08.105.

Referred to Committee on Local Government.

**HB 45** by Representatives Haugen, Tilly, Walk, Ballard, Lewis, Brough, May, Patrick, Rayburn, Bristow, Kremen, Schoon, S. Wilson, Braddock and Fisch

AN ACT Relating to the office of county sheriff; adding new sections to chapter 36.28 RCW; creating a new section; and repealing RCW 36.28.025.

Referred to Committee on Local Government.

**HB 46** by Representatives Armstrong and Kremen

AN ACT Relating to antitrust and unfair and deceptive business practices; amending RCW 19.86.920; and adding a new section to chapter 19.86 RCW.

Referred to Committee on Judiciary.

**HB 47** by Representatives Wang, Patrick, R. King, Hargrove, Fisch, Leonard, Ebersole, Vekich, Sayan, Basich and Lux

AN ACT Relating to fire dispatchers; and adding a new section to chapter 41.56 RCW.

Referred to Committee on Commerce & Labor.

**HB 48** by Representatives R. King, Patrick, Fisch, Hargrove, Lux, Leonard, Todd, Vekich, Day, Sayan, Winsley, Ebersole, Wang, Fisher and Basich

AN ACT Relating to life support technicians; and adding a new section to chapter 41.56 RCW.

Referred to Committee on Commerce & Labor.

**HB 49** by Representatives Sayan, Ballard, Fisher, Hine, Tilly, Vander Stoep, Bristow, Miller, Schoon, Hastings, Sutherland, Fisch and Peery; by Secretary of State request

AN ACT Relating to election costs; amending RCW 29.13.047; and providing an effective date.

Referred to Committee on Constitution, Elections & Ethics.

**HB 50** by Representatives Fisher, Armstrong, Brekke, Padden, Sayan, Baugher, Rayburn and Taylor; by Department of Social and Health Services request

AN ACT Relating to supplemental security income applicants' attorneys' fees; creating a new section; and declaring an emergency.

Referred to Committee on Social & Health Services.

**HB 51** by Representatives O'Brien, Dellwo, Lux and Locke

AN ACT Relating to public health; adding a new section to chapter 70.54 RCW; and prescribing penalties.

Referred to Committee on Social & Health Services.

**HB 52** by Representatives Niemi, Belcher, Hankins, Vekich, Baugher and Walk

AN ACT Relating to the human rights commission; amending RCW 49.60.010, 49.60.040, 49.60.050, 49.60.060, 49.60.070, 49.60.080, 49.60.090, 49.60.100, 49.60.110, 49.60.120, 49.60.130, 49.60.140, 49.60.150, 49.60.160, 49.60.170, 49.60.180, 49.60.190, 49.60.200, 49.60.210, 49.60.225, 49.60.226, 49.60.230, 49.60.240, 49.60.250, 49.60.260, 49.60.270, 49.60.310, and 49.60.320; adding a new section to chapter 49.60 RCW; and adding a new section to chapter 34.12 RCW.

Referred to Committee on State Government.

**HB 53** by Representatives Belcher, Unsoeld, Addison, Hastings, Kremen, R. King, Sayan, P. King, Miller, Hankins and Peery; by Department of Community Development request

AN ACT Relating to the center for voluntary action; amending RCW 43.150.060 and 43.150.080; and declaring an emergency.

Referred to Committee on State Government.

HB 54 by Representatives Armstrong, D. Nelson, Van Luven, Jacobsen, Nealey, Long, Sutherland, Lundquist, Gallagher and Wang

AN ACT Relating to tort liability; and adding new sections to chapter 4.24 RCW.

Referred to Committee on Energy & Utilities.

HB 55 by Representatives D. Nelson, Rust, Miller, Van Luven, Jacobsen, Nealey, Long, Sutherland, Valle, Gallagher, P. King and Unsoeld

AN ACT Relating to transportation of high-level radioactive waste; adding a new section to chapter 43.200 RCW; and declaring an emergency.

Referred to Committee on Energy & Utilities.

HB 56 by Representatives D. Nelson, Rust, Jacobsen, Nealey, Long, Sutherland, Valle and Gallagher

AN ACT Relating to the powers of the nuclear waste board; and amending RCW 43.200.015 and 43.200.025.

Referred to Committee on Energy & Utilities.

HB 57 by Representatives D. Nelson, Jacobsen, Todd, Valle and Unsoeld

AN ACT Relating to information and education activities of public service companies; and adding new sections to chapter 80.04 RCW.

Referred to Committee on Energy & Utilities.

HB 58 by Representatives P. King, West and Wang

AN ACT Relating to arbitration; amending RCW 7.04.090; and adding a new section to chapter 7.04 RCW.

Referred to Committee on Judiciary.

HB 59 by Representatives Sayan, Long, Smitherman and Vander Stoep

AN ACT Relating to lobbyists' registration; and amending RCW 42.17.155.

Referred to Committee on Constitution, Elections & Ethics.

HJM 1 by Representatives Walk, Schmidt, Patrick, Lundquist, Schoon and Gallagher

Requesting Congress to allow release of Interstate Highway construction funds.

Referred to Committee on Transportation.

ESB 3065 by Senators Bottiger and Hayner

Revising provisions relating to subsistence and lodging for members of the legislature.

Referred to Committee on Ways & Means.

SCR 105 by Senators Bottiger and Fleming

Establishing cut-off dates.

#### MOTIONS

On motion of Mr. J. King, the rules were suspended and Senate Concurrent Resolution No. 105 was advanced to second reading.

On motion of Mr. J. King, further consideration of Senate Concurrent Resolution No. 105 was deferred and the resolution was ordered placed at the top of tomorrow's second reading calendar.

On motion of Mr. J. King, the bills, memorials and resolutions on today's agenda under the fourth order of business were considered first reading and referred to the committees designated.

Mr. J. King demanded a Call of the House and the demand was sustained.

## CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.  
The Clerk called the roll and all members were present.

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

On motion of Mr. J. King, the rules were suspended to allow consideration of House Floor Resolution No. 85-5.

## RESOLUTION

HOUSE FLOOR RESOLUTION NO. 85-5, by Representatives Fisher, Silver, Walk, Lewis, Sutherland and Van Luven

WHEREAS, The members of the House of Representatives hold positions of the highest public trust; and

WHEREAS, The unfair campaign practice of a member of this body, Representative van Dyke, impugns the honor and integrity of the House of Representatives and the electoral process; and

WHEREAS, Article II, section 8, of the Washington State Constitution empowers the House of Representatives to be the judge of the election, the returns, and the qualifications of its members; and

WHEREAS, The members of the Select Committee on Campaign Practices, appointed jointly by the Honorable Speaker and Honorable Minority Leader of the House of Representatives, after hearing public testimony given under oath, considering physical evidence, considering instructions of law provided by independent counsel, and due deliberation have concluded that: (1) The use of the advertising pamphlet entitled "Our Opinion" by Representative van Dyke constitutes an unfair campaign practice; and (2) the unfair campaign practice engaged in by Representative van Dyke, considered in the context of the entire campaign, did not result in an unfair election; and

WHEREAS, Representative van Dyke has been sworn in as a member of the House of Representatives after his actions, although reprehensible, were found not to result in an unfair election;

NOW, THEREFORE, BE IT RESOLVED, By the members of the House of Representatives, That Representative van Dyke is hereby formally and publicly reprimanded for his actions; and

BE IT FURTHER RESOLVED, That Representative van Dyke apologize for violating the public trust and for failing to meet the high standards demanded of a representative of the people of Legislative District Thirty-nine B.

Ms. Fisher moved adoption of the resolution. Representatives Fisher and Silver spoke in favor of the resolution, and it was adopted.

## POINT OF PERSONAL PRIVILEGE

Mr. van Dyke: "Mr. Speaker and fellow members: The Select Committee on Campaign Practices treated me with fairness and in an even-handed manner. I thank them for it.

"The resolution of reprimand states that certain of my actions during the last election constituted an unfair campaign practice. I agree and freely acknowledge that what I did was wrong.

"I'm sorry.

"Simple words, but not a simple thought.

"I am truly sorry, and I do apologize for the problems I caused and the embarrassment I caused to this institution and the members of this body and to our electoral process.

"I do take full responsibility for all the errors in my campaign. I truly regret this and apologize for them.

"Furthermore, I apologize to the citizens of District 39B for my errors in judgment and action. I pledge to you, the members of this House, that I will both work hard to uphold the honor of this institution, and work hard for the citizens of my district and all the citizens of this state.

"I ask all parties concerned to accept my apology in the same genuine spirit that it is offered."

The Speaker declared the House to be at ease.

The Speaker called the House to order.

On motion of Mr. J. King, the House dispensed with further business under the Call of the House.

MOTION

On motion of Mr. J. King, the House adjourned until 11:00 a.m., Friday, January 18, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk



## FIFTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Friday, January 18, 1985

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Michael Haines and Jeff Pobst. Prayer was offered by Reverend Ray Hood of the Lacey Church of God.

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

## MESSAGE FROM THE SENATE

January 17, 1985

Mr. Speaker:

The President has signed:

SENATE CONCURRENT RESOLUTION NO. 101,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTIONS AND FIRST READING

HB 60 by Representatives Sayan, Patrick, Betzoff and Fisch

AN ACT Relating to refrigeration services; amending RCW 18.27.010; adding a new chapter to Title 18 RCW; and prescribing penalties.

Referred to Committee on Commerce & Labor.

HB 61 by Representatives Dellwo, Lux, Fisch, Hine and Basich

AN ACT Relating to health insurance; amending RCW 41.04.180; and adding new sections to chapter 41.04 RCW.

Referred to Committee on Local Government.

HB 62 by Representatives Valle, Allen, Rust, Patrick, Sommers, Isaacson, Haugen, Silver, Lux, Nealey, D. Nelson, Lewis, Leonard, Holland, Appelwick, Ebersole, Brekke, Sanders, Jacobsen, Bond, Unsoeld, Braddock, R. King, Wineberry, Todd, Chandler, Dellwo, Locke, Grimm, Brough, Van Luven, Betzoff, Long, Dobbs and Tanner

AN ACT Relating to smoking; adding new chapters to Title 70 RCW; and prescribing penalties.

Referred to Committee on Social & Health Services.

HB 63 by Representatives Baugher, Rayburn, Bristow, Hastings, Doty, Brooks, Lewis, Holland, Gallagher, Lundquist, B. Williams, Padden, Betzoff, J. Williams, Patrick, Fisch, Long, Silver, P. King, Nealey, Taylor, S. Wilson, Fuhrman, Schoon, Ballard, Van Luven, Hankins, Dobbs, Chandler, van Dyke, May, Miller, Barrett, C. Smith, Tanner, Isaacson and L. Smith

AN ACT Relating to the business and occupation tax; amending RCW 82.04.260; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 64 by Representatives Wang, Ballard, Lewis, Day, Tanner, West, Gallagher, Fisch, Rayburn, Dobbs, Winsley and Barrett

AN ACT Relating to nursing home auditing; and amending RCW 74.46.460.

Referred to Committee on Social & Health Services.

HB 65 by Representatives J. King, Ballard, Day, Barrett, Tanner, Isaacson, Dobbs, Gallagher, Van Luven, Fisch, Winsley and Dellwo

AN ACT Relating to nursing home survey standards, certification, and compliance enforcement; and adding new sections to chapter 74.42 RCW.

Referred to Committee on Social & Health Services.

HB 66 by Representatives R. King, Patrick, Wang, Gallagher and Crane

AN ACT Relating to plumbers; and amending RCW 18.106.070.

Referred to Committee on Commerce & Labor.

HB 67 by Representatives Lux, Ballard, Jacobsen, Winsley, Leonard, Baugher, Unsoeld, Patrick, Chandler, Kremen, Braddock, Lewis, McMullen, S. Wilson, Brough, Fisch, Long, Silver, Nealey, Crane, Miller, Dellwo, D. Nelson, Rayburn, Grimm and L. Smith

AN ACT Relating to motor vehicle insurance; amending RCW 46.52.030, 46.61.020, 46.61.021, 46.63.020, and 48.22.030; creating a new chapter in Title 46 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Financial Institutions & Insurance.

HB 68 by Representatives Dellwo, Padden, Day, Taylor, Scott, Brekke, Braddock, Silver, Barrett, Belcher, West and Isaacson

AN ACT Relating to the storage and disposal of human remains; amending RCW 18.39.175, 68.05.100, and 68.08.230; adding a new section to chapter 18.39 RCW; adding a new section to chapter 68.05 RCW; adding new sections to chapter 68.08 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Local Government.

HB 69 by Representatives Rust, Allen, Valle, Brekke, R. King, Lux, Unsoeld, D. Nelson and Isaacson

AN ACT Relating to solid waste management; and adding a new section to chapter 70.95 RCW.

Referred to Committee on Environmental Affairs.

HB 70 by Representatives Rust, Allen, Valle, Brekke, R. King, Lux, Unsoeld, D. Nelson and Isaacson

AN ACT Relating to solid waste; amending RCW 70.95.030, 70.95.040, 70.95.060, 70.95.090, 70.95.165, 70.95.170, 70.95.180, and 70.95.185; and adding a new section to chapter 70.95 RCW.

Referred to Committee on Environmental Affairs.

HB 71 by Representatives Hine, Holland, Crane, Patrick, Lux, Leonard, Todd, Barnes, Cole and Isaacson

AN ACT Relating to certificated employees derived base salaries for the remainder of the 1983-85 biennium; amending section 103, chapter 76, Laws of 1983 1st ex. sess. as amended by section 505, chapter 285, Laws of 1984 (uncodified); and declaring an emergency.

Referred to Committee on Ways & Means.

HB 72 by Representatives Fisch, Hargrove, Basich, Gallagher, Valle, Sanders, Betzoff, R. King and Crane; by Department of Transportation request

AN ACT Relating to the Quinault Tribal Highway; adding new sections to chapter 47.20 RCW; and declaring an emergency.

Referred to Committee on Transportation.

HB 73 by Representatives Kremen, Thomas and Lundquist; by Department of Transportation request

AN ACT Relating to the commission on equipment; and amending RCW 46.37.005.

Referred to Committee on Transportation.

- HB 74** by Representatives Walk, Schmidt and Fisch; by Department of Transportation request  
AN ACT Relating to motor vehicle standards; and amending RCW 46.44.030, 46.44.041, 46.44.042, 46.44.0941, and 46.44.105.  
Referred to Committee on Transportation.
- HB 75** by Representatives Walk, Lux, Sanders, Nealey, Miller and D. Nelson; by Department of Transportation request  
AN ACT Relating to motor vehicle standards; and amending RCW 46.37.420.  
Referred to Committee on Transportation.
- HB 76** by Representatives Wineberry, Walk and Gallagher; by Department of Transportation request  
AN ACT Relating to bid proposals for the department of transportation; and amending RCW 47.28.060, 47.28.080, 47.28.090.  
Referred to Committee on Transportation.
- HB 77** by Representatives Walk, S. Wilson, Schmidt, Valle, Fisch and Haugen; by Department of Transportation request  
AN ACT Relating to ferry system bonds; and amending RCW 47.60.560.  
Referred to Committee on Transportation.
- HB 78** by Representatives Schmidt, Zellinsky and J. Williams; by Department of Transportation request  
AN ACT Relating to the Washington State Ferries; and adding a new section to chapter 47.60 RCW.  
Referred to Committee on Transportation.
- HB 79** by Representatives Walk, Van Luven, Kremen, Valle, J. Williams, Fisch and Isaacson; by Department of Transportation request  
AN ACT Relating to the department of transportation; and adding a new section to chapter 47.04 RCW.  
Referred to Committee on Transportation.
- HB 80** by Representatives Walk, Schmidt, Valle, Betrozoff and J. Williams; by Department of Transportation request  
AN ACT Relating to state highway routes; amending RCW 47.17.055, 47.17.060, 47.17.455, 47.17.575; adding a new section to chapter 47.17 RCW; and repealing RCW 47.17.281, 47.17.867.  
Referred to Committee on Transportation.
- HB 81** by Representatives Armstrong, West, Wang and Leonard  
AN ACT Relating to violent civil disorders; and adding a new section to chapter 9.41 RCW.  
Referred to Committee on Judiciary.
- HB 82** by Representatives Armstrong, Long, Walk, Tilly, Miller, Wang, Cole, Lux, Fuhrman, Ballard, Brough, Taylor, Dobbs, Chandler, Winsley, May, Tanner, Van Luven, Hankins, Walker, Patrick, Fisch, Silver and Grimm  
AN ACT Relating to motor vehicle licenses; amending RCW 46.20.342 and 46.12.240; adding new sections to chapter 46.16 RCW; and prescribing penalties.  
Referred to Committee on Judiciary.
- HB 83** by Representatives Armstrong and Sayan  
AN ACT Relating to government procurement; adding a new section to chapter 43.09 RCW; adding a new chapter to Title 39 RCW; and prescribing penalties.  
Referred to Committee on Judiciary.
- HB 84** by Representative Grimm

AN ACT Relating to local government insurance; amending RCW 48.62.010, 48.62.030, 48.62.070, 48.62.080, 48.62.100, and 48.62.110; and adding a new section to chapter 48.62 RCW.

Referred to Committee on Ways & Means.

**HB 85** by Representatives Wang, Fisch and Crane

AN ACT Relating to competency of witnesses; creating a new section; and repealing RCW 5.60.030.

Referred to Committee on Judiciary.

**HB 86** by Representatives Walk, Schmidt, S. Wilson, Gallagher, J. Williams and Fisch

AN ACT Relating to department of transportation personnel exempted from civil service; and amending RCW 41.06.079.

Referred to Committee on State Government.

**HB 87** by Representative Sutherland

AN ACT Relating to natural resources. (t.o.)

Referred to Committee on Rules.

**HB 88** by Representative Sutherland

AN ACT Relating to natural resources. (t.o.)

Referred to Committee on Rules.

**HB 89** by Representative Sutherland

AN ACT Relating to game. (t.o.)

Referred to Committee on Rules.

**HB 90** by Representative Sutherland

AN ACT Relating to food fish and shellfish. (t.o.)

Referred to Committee on Rules.

**HB 91** by Representatives Sutherland, Lundquist, Sayan, Fisch, Nealey, Prince, Haugen, Schoon, Brough, C. Smith, Tanner and Isaacson

AN ACT Relating to the valuation of open space lands with no current use; amending RCW 84.34.037 and 84.34.060; and adding a new section to chapter 84.34. RCW.

Referred to Committee on Natural Resources.

**HB 92** by Representatives K. Wilson, Lundquist, Sutherland and Brekke

AN ACT Relating to the interagency committee for outdoor recreation; and amending RCW 43.99.110.

Referred to Committee on Natural Resources.

**HB 93** by Representatives Winsley, Ebersole, Gallagher, Day, Schoon, Leonard, Walker, Brooks, Dellwo, Wang, Cole, Valle, Fisch, P. King, Miller and Rayburn

AN ACT Relating to immunization; and amending RCW 28A.31.104 and 28A.31.108.

Referred to Committee on Education.

**HB 94** by Representatives Winsley, Ebersole, Gallagher, Smitherman, Wang, Walker and Fisher

AN ACT Relating to public health and safety; and amending RCW 70.08.040.

Referred to Committee on Local Government.

**HB 95** by Representatives Winsley, Ebersole, Unsoeld, May, Walker, Brough, Taylor, Tanner and K. Wilson

AN ACT Relating to automatic dialing and announcing devices; and adding a new section to chapter 80.36 RCW.

Referred to Committee on Energy & Utilities.

HB 96 by Representatives Winsley, Lux, Barrett, Madsen, Smitherman, Prince, Schmidt, May, Lundquist, J. Williams and Silver

AN ACT Relating to securities; and amending RCW 21.20.550.

Referred to Committee on Financial Institutions & Insurance.

HB 97 by Representatives Winsley, Madsen, Baugher, Walker, Schoon, Long, Taylor, Dobbs, van Dyke and May

AN ACT Relating to game and game fish; and amending RCW 77.32.230.

Referred to Committee on Natural Resources.

HB 98 by Representatives B. Williams, Grimm, Holland, Bristow and Van Luven

AN ACT Relating to revolving funds; amending RCW 9.46.040, 9.46.060, 9.46.100, 67.70.020, 67.70.040, 67.70.050, and 67.70.230; creating new sections; repealing RCW 67.70.240 and 67.70.260; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 99 by Representatives Zellinsky, Smitherman, Thomas, Haugen, Schmidt, Walk, Vander Stoep, Fuhrman, Hastings, G. Nelson, P. King, R. King and Nealey

AN ACT Relating to the taxation of fish farms; amending RCW 82.04.330 and 82.04.100; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 100 by Representatives Hastings, Rayburn, Doty, Baugher, C. Smith, Smitherman, Ballard, Brooks, Nealey, Zellinsky, Haugen, Hankins, Prince, Lewis, Holland, Gallagher, Lundquist, B. Williams, S. Wilson, Fuhrman, Schoon, Bristow, Van Luven, Padden, Betrozoff, J. Williams, Patrick, Long, Silver, Taylor, Dobbs, van Dyke, May, Miller, Barrett, Isaacson and L. Smith

AN ACT Relating to the business and occupation tax; and amending RCW 82.04.260.

Referred to Committee on Ways & Means.

#### MOTION

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

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

#### SECOND READING

SCR 105 by Senators Bottiger and Fleming

Senate Concurrent Resolution No. 105, having received the Establishing cut-off dates.

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

Representatives J. King, Barrett and Appelwick spoke in favor of the resolution.

#### ROLL CALL

The Clerk called the roll on adoption of Senate Concurrent Resolution No. 105, and the resolution was adopted by the House by the following vote: Yeas, 98; absent, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J. King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman,

Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Zellinsky and Mr. Speaker - 95.

Senate Concurrent Resolution No. 105, having received the constitutional majority, was declared adopted.

#### MOTION

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

#### SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE CONCURRENT RESOLUTION NO. 101.

#### MOTION

On motion of Ms. Hine, the rules were suspended to allow consideration of House Floor Resolution No. 85-7.

#### RESOLUTION

HOUSE FLOOR RESOLUTION NO. 85-7, by Representatives Hine, S. Wilson and Lundquist

WHEREAS, The 2,200 square miles of Puget Sound and its connecting waterways are a unique and precious resource to the economy and population of the State of Washington; and

WHEREAS, The health and cleanliness of Puget Sound is essential to economic diversity, strength and vitality, to public health and safety, and to the comfort and well-being of the entire state's population; and

WHEREAS, We are discovering increasing numbers of our embayments to be threatened by toxic chemicals and other pollutants coming from numerous sources; and

WHEREAS, Puget Sound ports, a vital component of Washington's success in trade with international markets, must dredge waterways to keep them open, yet face the uncertainty about disposal of toxic dredge spoils; and

WHEREAS, Our aquaculture industry is threatened by contamination that has led to the closure of increasing numbers of shellfish growing areas; and

WHEREAS, Our recreational fishing and industrial fishing are threatened by increasing incidents of disease in bottom fish; and

WHEREAS, We are finding increasing incidents of high levels of polychlorinated biphenyls and other toxics in marine birds and marine mammals generating concern for human health from long-term exposure; and

WHEREAS, Water in rivers and streams which feed into Puget Sound often are contaminated with agricultural pesticides and fertilizers; and

WHEREAS, The rapidly increasing population of the Puget Sound Basin is pumping ever larger quantities of surface water runoff containing toxics and other harmful pollutants into our rivers, streams and bays that discharge into Puget Sound; and

WHEREAS, Industrial and residential development and human activities along the Puget Sound shorelines need to be planned and managed across jurisdictional lines to minimize and, wherever possible, to prevent future contamination; and

WHEREAS, The handling, treatment, storage and disposal of hazardous and toxic materials and wastes of industry and the sewage and garbage from households are creating increasingly difficult, complicated and expensive problems requiring specialized scientific technologies and expertise beyond the fiscal and personnel resources of most jurisdictions; and

WHEREAS, The comprehensive management, clean-up and preservation of Puget Sound will require Sound-wide research, monitoring and testing, and interagency coordination to determine an appropriate and effective long-range plan which includes all jurisdictions impacting the sound;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington establish a Select Committee on the Clean-up and Management of Puget Sound to address these complex and difficult pollution problems across jurisdictional lines and multiple funding sources after:

- (1) Conducting hearings;
- (2) Reviewing recommendations of state agencies, local government and other interested parties; and
- (3) Acting upon the legislative report by the Puget Sound Water Quality Authority; and

BE IT FURTHER RESOLVED, That the committee membership and the chair shall be chosen in a manner as indicated in the House Rules and that membership shall be composed of eight Democrats and seven Republicans; and

BE IT FURTHER RESOLVED, That the following standing committees of the House of Representatives shall be included in the membership of the select committee to assure a diversity of views in dealing with these complex and pressing problems:

- (1) Local Government Committee;
- (2) Environmental Affairs Committee;
- (3) Natural Resources Committee;
- (4) Agriculture Committee; and
- (5) Ways and Means Committee.

BE IT FURTHER RESOLVED, That this select committee shall have the same powers and duties of other House committees as provided for in the House Rules.

Ms. Hine moved adoption of the resolution. Representatives Hine, S. Wilson and Rust spoke in favor of the resolution and Mr. Taylor spoke against it.

#### POINT OF INQUIRY

Ms. Hine yielded to question by Mr. Sanders.

Mr. Sanders: "Representative Hine, I notice on the second page, line 28, that your resolution calls for a partisan makeup of eight Democrats and seven Republicans. I would think an issue as important as this would be nonpartisan and there would be an equal number of Democrats and an equal number of Republicans on this committee. Why have you made this resolution partisan?"

Ms. Hine: "It seems to me that most of our select committees do carry this kind of a makeup. It will have the power to vote bills out the same as a standing committee. It is consistent with a standing committee-type makeup with only a one member difference."

Mr. Sanders spoke against adoption of the resolution, and Mr. Barnes spoke in favor of it.

House Resolution No. 85-7 was adopted.

#### MOTION

On motion of Mr. J. King, the House adjourned until 11:00 a.m., Monday, January 21, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk

## EIGHTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Monday, January 21, 1985

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Brough, Miller, L. Smith and West, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Robin Richards and Chauna Svoboda. Prayer was offered by Reverend Charles Hill, Bible Baptist Church of Port Orchard.

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

## MESSAGE FROM THE SENATE

January 18, 1985

Mr. Speaker:

The Senate has passed:

SENATE CONCURRENT RESOLUTION NO. 103.

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## INTRODUCTIONS AND FIRST READING

HB 101 by Representatives Patrick and S. Wilson

AN ACT Relating to lotteries and promotional contests; and amending RCW 9.46.020.

Referred to Committee on Commerce & Labor.

HB 102 by Representatives Sommers, B. Williams, Grimm, Brekke, Vander Stoep, Tilly, Braddock, Schoon, Thomas, Fuhrman, J. Williams, Winsley, Patrick, Hastings, Isaacson, Hankins, May and Silver; by Legislative Budget Committee request

AN ACT Relating to retirement plans for employees at institutions of higher education; amending RCW 28B.10.400; adding a new section to chapter 28B.10 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 103 by Representatives Sommers, Belcher, Hankins, Braddock, Zellinsky, Smitherman, Kremen, B. Williams, Schoon, Long, Jacobsen, Winsley, Ballard, Fisch, Hastings, Isaacson, Basich, Taylor, Dellwo, van Dyke, Doty, May, Crane, Betrozoff, Silver and Unsoeld

AN ACT Relating to open public meetings; and amending RCW 42.30.110.

Referred to Committee on State Government.

HB 104 by Representatives Sommers, Lux, Winsley, P. King and Belcher

AN ACT Relating to credit union directors; and amending RCW 31.12.235.

Referred to Committee on Financial Institutions & Insurance.

HB 105 by Representatives Wang, Ebersole, Fisher, Schoon, Gallagher, J. Williams, McMullen, P. King, Tanner, Haugen and May; by Administrator for the Courts request

AN ACT Relating to superior court; amending RCW 2.08.061, 2.08.062, and 2.08.064; and providing an effective date.

Referred to Committee on Judiciary.

HB 106 by Representatives Schmidt, Zellinsky, Sayan, Thomas, Smitherman, Winsley, S. Wilson, Walker, Haugen, Vekich, Silver, R. King, Schoon,



Wang, Lundquist, McMullen, May, Dellwo, Sutherland, Prince, Patrick, Tanner, Allen, Barrett, Fuhrman, J. Williams, Nealey, Ebersole, Barnes, Miller, Holland, Madsen, Long, Fisch, Sanders, Isaacson, Hankins, Taylor, Doty and Fisher

AN ACT Relating to tuition and fees at institutions of higher education; and amending RCW 28B.15.014.

Referred to Committee on Higher Education.

HB 107 by Representatives Crane, P. King, Armstrong, Dellwo, Sutherland, Zellinsky, Barnes, Locke, West and Padden

AN ACT Relating to interference with official proceedings; amending RCW 9A.72.110 and 9A.72.130; adding a new section to chapter 9A.72 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

HB 108 by Representatives Miller, Fisher, Fisch, Barrett, Barnes, Walker, Winsley, Hastings, Leonard and Silver; by Secretary of State request

AN ACT Relating to write-in candidates; amending RCW 29.51.170; and adding new sections to chapter 29.04 RCW.

Referred to Committee on Constitution, Elections & Ethics.

HB 109 by Representatives Brekke, Lewis, B. Williams and Winsley; by Department of Social and Health Services request

AN ACT Relating to the release of juvenile offenders from residential facilities; and amending RCW 13.40.210.

Referred to Committee on Social & Health Services.

HB 110 by Representatives Brekke and Lewis; by Department of Social and Health Services and Department of Fisheries request

AN ACT Relating to shellfish; amending RCW 69.30.010, 69.30.050, 69.30.060, 69.30.110, 69.30.120, 69.30.140, and 75.12.120; and prescribing penalties.

Referred to Committee on Social & Health Services.

HB 111 by Representatives Brekke, Lewis, B. Williams, Braddock, Holland, Kremen, Schoon, Long, Thomas, Jacobsen, S. Wilson, J. Williams, Tilly, O'Brien, Niemi, Patrick, Ballard, Barrett, McMullen, Baugher, Fisch, R. King, Tanner, Haugen, Leonard, Isaacson, Hankins, Taylor, Dellwo, Doty, May, Unsoeld, Silver and Belcher; by Department of Social and Health Services request

AN ACT Relating to respite care services; amending section 3, chapter 158, Laws of 1984 (uncodified); amending section 5, chapter 158, Laws of 1984 (uncodified); and amending section 7, chapter 158, Laws of 1984 (uncodified).

Referred to Committee on Social & Health Services.

HB 112 by Representatives Brekke, Patrick, Wang, Holland, D. Nelson, J. Williams, P. King, Lewis, Locke, Dellwo, Vekich, S. Wilson, Fisch, Tanner and Crane

AN ACT Relating to adoption; amending RCW 26.33.330 and 26.33.340; and adding new sections to chapter 26.33 RCW.

Referred to Committee on Judiciary.

HB 113 by Representatives O'Brien, Gallagher, Niemi, Winsley, Fisch, R. King and P. King

AN ACT Relating to community development; and adding a new chapter to Title 43 RCW.

Referred to Committee on Trade & Economic Development.

HB 114 by Representatives Fisch, Schoon, Gallagher, Long, J. Williams, Winsley, P. King, Tanner, Isaacson, van Dyke, Dobbs, May, Fisher and Silver

AN ACT Relating to official election materials; adding a new section to chapter 29.85 RCW; and prescribing penalties.

Referred to Committee on Constitution, Elections & Ethics.

HB 115 by Representatives Fisher and Sommers

AN ACT Relating to unemployment compensation; and amending RCW 50.12.020.

Referred to Committee on Constitution, Elections & Ethics.

HB 116 by Representatives Belcher, Niemi, Unsoeld, Vekich, Walk, Peery, Kremen, McMullen, Fisch and Rayburn

AN ACT Relating to public employees; amending RCW 41.06.020, 41.06.150, 41.06.169, 41.64.110, 28B.16.020, 28B.16.100, 28B.16.105, and 28B.50.030; adding new sections to chapter 28B.16 RCW; adding new sections to chapter 41.06 RCW; adding a new section to chapter 43.01 RCW; repealing RCW 28B.10.644, 28B.10.645, 28B.10.646, 28B.16.250, 28B.16.260, 28B.16.270, 28B.16.280, 28B.16.290, 28B.50.830, 28B.50.840, 28B.80.250, 28B.80.260, 28B.80.270, 41.06.175, 41.06.185, 41.06.195, 41.06.205, and 41.06.215; and making an appropriation.

Referred to Committee on State Government.

HB 117 by Representatives Vekich and McMullen

AN ACT Relating to state-owned housing; adding a new chapter to Title 43 RCW; and declaring an emergency.

Referred to Committee on State Government.

HB 118 by Representatives Todd, K. Wilson, Belcher, Baugher, Gallagher and Ebersole

AN ACT Relating to veterans; and amending RCW 41.04.005.

Referred to Committee on State Government.

HB 119 by Representatives Belcher and Unsoeld

AN ACT Relating to state employee's sick leave cashout; and amending RCW 41.04.340.

Referred to Committee on State Government.

HB 120 by Representatives Belcher, West, Unsoeld, Winsley, Vander Stoep, Madsen, K. Wilson, Crane, Todd and Day

AN ACT Relating to reimbursement of institutional care employees; and adding a new section to chapter 72.01 RCW.

Referred to Committee on State Government.

HB 121 by Representatives Belcher, Vander Stoep, Unsoeld, Sayan, Vekich, Winsley, Rayburn and Lux

AN ACT Relating to salary surveys; and amending RCW 28B.16.110, 41.06.160, and 41.06.167.

Referred to Committee on State Government.

HB 122 by Representatives Fisher, Sommers, Vekich, Belcher, Basich and Unsoeld

AN ACT Relating to payroll deductions for public employees; and amending RCW 41.04.230.

Referred to Committee on Constitution, Elections & Ethics.

HB 123 by Representatives Unsoeld, Belcher and Sayan

AN ACT Relating to annual leave; and amending RCW 43.01.041.

Referred to Committee on State Government.

HB 124 by Representatives O'Brien, Belcher, Unsoeld and Isaacson; by Department of Community Development request

AN ACT Relating to actions against state officers, employees, and authorized agents; amending RCW 4.92.060 and 4.92.070.

Referred to Committee on Judiciary.

**HB 125** by Representatives Belcher, Grimm and Walk

AN ACT Relating to public employment; amending RCW 41.06.020, 41.06.040, 41.06.070, 41.06.080, 41.06.160, 41.06.280, and 41.64.110; adding new sections to chapter 41.06 RCW; repealing RCW 28B.16.010, 28B.16.020, 28B.16.030, 28B.16.040, 28B.16.070, 28B.16.080, 28B.16.090, 28B.16.100, 28B.16.101, 28B.16.105, 28B.16.110, 28B.16.112, 28B.16.113, 28B.16.116, 28B.16.120, 28B.16.130, 28B.16.140, 28B.16.150, 28B.16.160, 28B.16.170, 28B.16.180, 28B.16.190, 28B.16.200, 28B.16.210, 28B.16.220, 28B.16.230, 28B.16.240, 28B.16.250, 28B.16.260, 28B.16.270, 28B.16.280, 28B.16.290, 28B.16.900, 28B.16.910, 28B.16.920, and 28B.16.930; and providing an effective date.

Referred to Committee on State Government.

**HB 126** by Representatives Peery, Belcher, West, Vander Stoep, Unsoeld, Vekich, B. Williams, Wang, Gallagher, Tanner, Lux and Grimm

AN ACT Relating to state employees' insurance; amending RCW 41.05.025; and declaring an emergency.

Referred to Committee on State Government.

**HB 127** by Representatives Sutherland and McMullen

AN ACT Relating to law enforcement by wildlife agents and fisheries patrol officers; and amending RCW 75.10.010 and 77.12.055.

Referred to Committee on Natural Resources.

**HB 128** by Representatives Sayan and Isaacson

AN ACT Relating to state employee retirement; and amending RCW 41.40.220.

Referred to Committee on Ways & Means.

**HB 129** by Representatives Sayan, Isaacson and Unsoeld

AN ACT Relating to occupational disease; and amending RCW 41.40.200.

Referred to Committee on Ways & Means.

**HB 130** by Representatives Sayan, Nutley, Vander Stoep, Lewis, Belcher, Rayburn, Isaacson and Scott

AN ACT Relating to retirement from public service; amending RCW 41.32.500 and 41.40.150; adding new sections to chapter 41.40 RCW; making an appropriation; and declaring an emergency.

Referred to Committee on Ways & Means.

**HB 131** by Representatives Brekke and B. Williams

AN ACT Relating to the regulation of health and health-related professions and businesses; amending RCW 18.130.020, 18.130.040, 18.130.070, 18.130.080, 18.130.090, 18.130.130, 18.130.160, 18.130.170, 18.130.180, 18.130.190, 18.130.200, 18.130.210, 18.130.900, 18.22.015, 18.25.017, 18.25.090, 18.26.030, 18.26.110, 18.32.085, 18.32.290, 18.32.360, 18.32.390, 18.32.500, 18.32.520, 18.32.530, 18.32.640, 18.36.010, 18.36.020, 18.36.030, 18.36.040, 18.36.050, 18.36.060, 18.36.130, 18.39.130, 18.39.145, 18.39.148, 18.39.150, 18.39.175, 18.39.181, 18.39.231, 18.39.260, 18.39.280, 18.39.300, 18.39.320, 18.39.330, 18.52.100, 18.52.140, 18.53.030, 18.53.100, 18.53.140, 18.53.150, 18.54.070, 18.57.005, 18.57A.030, 18.57A.040, 18.57A.050, 18.59.100, 18.59.130, 18.71.030, 18.71.050, 18.71.095, 18.71.200, 18.71.230, 18.71A.040, 18.71A.050, 18.72.020, 18.72.150, 18.72.265, 18.73.020, 18.74.023, 18.74.090, 18.78.050, 18.78.070, 18.78.090, 18.88.270, 18.92.030, 18.92.070, 18.92.120, 18.92.125, 70.54.150, and 70.54.190; reenacting and amending RCW 43.24.110; adding a new section to chapter 18.22 RCW; adding a new section to chapter 18.25 RCW; adding a new section to chapter 18.26 RCW; adding a new section to chapter 18.29 RCW; adding a new section to chapter 18.32 RCW; adding a new section to chapter 18.34 RCW; adding a new section to chapter 18.36 RCW; adding a new section to chapter 18.39 RCW; adding a new section to chapter 18.50 RCW; adding a new section to chapter 18.52 RCW; adding a new section to chapter 18.53 RCW; adding a new section to chapter 18.54 RCW; adding a new section to chapter 18.55 RCW; adding a new section to chapter 18.57 RCW; adding a new section to chapter 18.57A RCW; adding a new section to chapter 18.59 RCW; adding a new section to chapter 18.71 RCW; adding a new section to chapter 18.71A RCW; adding a new section to chapter 18.72 RCW; adding a new section to chapter 18.74 RCW; adding a new section to chapter 18.78 RCW; adding

a new section to chapter 18.88 RCW; adding a new section to chapter 18.92 RCW; adding a new section to chapter 18.108 RCW; adding a new section to chapter 18.130 RCW; creating new sections; repealing RCW 18.130.030, 18.22.016, 18.22.017, 18.22.020, 18.22.141, 18.22.151, 18.22.215, 18.25.010, 18.25.018, 18.25.050, 18.26.027, 18.26.035, 18.26.037, 18.26.100, 18.26.120, 18.26.130, 18.26.140, 18.26.150, 18.26.160, 18.26.170, 18.26.180, 18.26.190, 18.26.200, 18.26.210, 18.26.220, 18.26.230, 18.26.240, 18.26.250, 18.26.270, 18.26.280, 18.26.290, 18.26.300, 18.26.310, 18.29.010, 18.29.075, 18.29.080, 18.29.090, 18.32.038, 18.32.055, 18.32.080, 18.32.090, 18.32.230, 18.32.380, 18.32.535, 18.32.540, 18.32.550, 18.32.630, 18.32.650, 18.32.660, 18.32.670, 18.32.680, 18.32.690, 18.32.700, 18.32.710, 18.32.720, 18.32.730, 18.32.740, 18.32.750, 18.32.760, 18.32.770, 18.32.780, 18.34.090, 18.34.100, 18.34.135, 18.34.140, 18.34.150, 18.35.173, 18.36.135, 18.36.140, 18.36.150, 18.39.176, 18.39.179, 18.39.223, 18.39.225, 18.39.310, 18.39.340, 18.50.100, 18.50.120, 18.50.125, 18.52.055, 18.52.065, 18.52.090, 18.52.120, 18.52.150, 18.52.155, 18.53.020, 18.53.155, 18.54.075, 18.54.080, 18.54.100, 18.54.110, 18.54.120, 18.55.065, 18.55.070, 18.55.080, 18.55.090, 18.55.100, 18.57.009, 18.57.030, 18.57.170, 18.57.173, 18.57.175, 18.57.177, 18.57.181, 18.57.185, 18.57.195, 18.57.205, 18.59.030, 18.59.140, 18.59.200, 18.71.018, 18.71.020, 18.71.025, 18.71.120, 18.71.140, 18.71.145, 18.71.165, 18.71.180, 18.72.030, 18.72.135, 18.72.140, 18.72.153, 18.72.160, 18.72.170, 18.72.175, 18.72.180, 18.72.201, 18.72.230, 18.72.240, 18.72.245, 18.72.250, 18.72.260, 18.72.270, 18.72.275, 18.72.280, 18.72.290, 18.72.300, 18.72.320, 18.72.330, 18.74.028, 18.74.080, 18.74.082, 18.74.084, 18.74.086, 18.74.088, 18.74.100, 18.78.053, 18.78.135, 18.78.145, 18.78.155, 18.78.165, 18.78.170, 18.78.175, 18.83.053, 18.88.085, 18.88.210, 18.88.230, 18.88.240, 18.88.250, 18.88.260, 18.88.265, 18.92.033, 18.92.045, 18.92.050, 18.92.160, 18.92.180, 18.92.210, 18.92.220, 18.92.235, 18.108.075, 18.108.080, and 18.108.170; repealing section 3, chapter 38, Laws of 1917 (uncodified); repealing section 2, chapter 48, Laws of 1935 (uncodified); repealing section 7, chapter 5, Laws of 1919 (uncodified); repealing section 30, chapter 16, Laws of 1923 (uncodified); repealing section 8, chapter 222, Laws of 1949 (uncodified); and prescribing penalties.

Referred to Committee on Social & Health Services.

**HB 132** by Representatives Tanner, L. Smith, Sutherland, Nutley, Peery, J. King and Hastings

AN ACT Relating to the local option tax on nonresident commuters; repealing RCW 82.14C.010, 82.14C.020, 82.14C.030, and 82.14C.900; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

**HB 133** by Representatives Dellwo, Taylor, Padden, Day, Silver, Barrett and Kremen

AN ACT Relating to highway information panels; and amending RCW 47.42.046.

Referred to Committee on Transportation.

**HB 134** by Representatives Jacobsen, Long, Unsoeld, Allen, Todd, Niemi, Appelwick, Tilly, Winsley, Tanner, Lux, May and Belcher

AN ACT Relating to automatic dialing and announcing devices; adding a new section to chapter 80.36 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Judiciary.

**HB 135** by Representatives Todd, Vekich, C. Smith, Ballard, Crane, Chandler, Unsoeld, Baugher, Rayburn, Lewis, Hastings, Isaacson and Doty

AN ACT Relating to water rights; amending RCW 90.44.070, 90.14.140, and 90.44.060; creating a new section; and adding new sections to chapter 90.44 RCW.

Referred to Committee on Agriculture.

**HB 136** by Representatives Unsoeld, Isaacson, Rust, Allen, Barnes, Valle, Jacobsen, Brekke, Lux, Patrick, R. King, Leonard, May and Belcher

AN ACT Relating to the control of dangerous wastes that had household uses; adding a new chapter to Title 82 RCW; creating a new section; prescribing penalties; making appropriations; providing an effective date; and declaring an emergency.

Referred to Committee on Environmental Affairs.

**HB 137** by Representatives C. Smith, Zellinsky, Lundquist, Prince, Bond and Chandler

AN ACT Relating to combinations of vehicles; and amending RCW 46.44.037.

Referred to Committee on Transportation.

HB 138 by Representatives Locke, Belcher, Brough, Dellwo, Tilly, Rayburn, Wang, Niemi, Scott, Jacobsen, Holland, Lewis, Winsley, Patrick, Tanner, Lux, Isaacson and Unsoeld

AN ACT Relating to victims of crimes; amending RCW 7.68.060, 7.68.070, 7.68.075, 7.68.130, and 7.68.020.

Referred to Committee on Judiciary.

HB 139 by Representatives Locke, Sommers, Brough and Haugen

AN ACT Relating to municipal airports; and amending RCW 14.08.330.

Referred to Committee on Local Government.

HB 140 by Representatives Wineberry, G. Nelson, Sommers and Vander Stoep

AN ACT Relating to community colleges; and amending RCW 28B.50.140.

Referred to Committee on Higher Education.

HB 141 by Representatives Ebersole, Betrozoff, Cole, Holland, Valle, Schoon, Walker, Long, Hastings, P. King, Tanner, Isaacson, van Dyke, Dobbs, May and Crane; by Superintendent of Public Instruction request

AN ACT Relating to the tenth grade achievement test; and amending RCW 28A.03.360.

Referred to Committee on Education.

HB 142 by Representatives Rayburn, Dellwo, Ballard and Baugher

AN ACT Relating to marriages; and amending RCW 26.04.140, 26.04.160, 26.04.170, 26.04.180, and 26.04.210.

Referred to Committee on Local Government.

HB 143 by Representatives Brough, Rust, Ebersole, Schoon, Sanders, Haugen, Holland, Jacobsen, Allen, Chandler, Hine, Wang, Crane, Grimm, Unsoeld, Long, Locke, Van Luven, Smitherman, Thomas, Vander Stoep, Padden, Walk, Silver, Ballard, Isaacson, May, Belcher, Betrozoff, Sayan, Hankins, Fisch, Miller, Madsen, Todd, Barrett, Prince, Patrick, Tanner, Barnes, K. Wilson, Addison, van Dyke, Lundquist, Hastings, Brooks, L. Smith, Walker, Valle, Vekich, McMullen, D. Nelson, Sommers, Brekke, Winsley, P. King and Dellwo

AN ACT Relating to establishing the West Hylebos Creek conservation area; adding new sections to chapter 43.51 RCW; and creating a new section.

Referred to Committee on Environmental Affairs.

HB 144 by Representatives Unsoeld, D. Nelson, Todd, Lux and Valle

AN ACT Relating to the formation of joint agencies for the development of electric generating plants and facilities; adding new sections to chapter 43.52 RCW; creating a new section; and repealing RCW 43.52.250, 43.52.260, 43.52.272, 43.52.360, 43.52.430, 43.52.470, 54.44.010, 54.44.020, 54.44.030, 54.44.040, 54.44.050, 54.44.060, 54.44.900, 54.44.901, and 54.44.910.

Referred to Committee on Energy & Utilities.

HB 145 by Representatives D. Nelson and Todd

AN ACT Relating to the powers of joint operating agencies; adding new sections to chapter 43.52 RCW; creating a new section; and repealing RCW 43.52.250, 43.52.260, 43.52.272, 43.52.300, 43.52.3411, 43.52.343, and 43.52.391.

Referred to Committee on Energy & Utilities.

HB 146 by Representatives Todd, D. Nelson, Jacobsen and J. Williams

AN ACT Relating to contracting authority of joint operating agencies; adding new sections to chapter 43.52 RCW; creating a new section; repealing RCW 43.52.260, 43.52.272, 43.52.490, 43.52.495, 43.52.500, 43.52.505, 43.52.510, 43.52.515, 43.52.600, 43.52.603,

43.52.606, 43.52.609, 43.52.612, 43.52.615, 43.52.618, and 43.52.621; prescribing penalties; and providing an expiration date.

Referred to Committee on Energy & Utilities.

#### MOTIONS

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

On motion of Mr. J. King:

HOUSE BILL NO. 50 was referred from Committee on Social & Health Services to Committee on Judiciary;

HOUSE BILL NO. 62 was referred from Committee on Social & Health Services to Committee on Environmental Affairs;

HOUSE BILL NO. 68 was referred from Committee on Local Government to Committee on Social & Health Services.

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

#### RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 85-6, by Representatives Kremen and Braddock

WHEREAS, The Ferndale High School band was selected to represent the State of Washington in the festivities of the Second Inaugural of President Ronald Reagan; and

WHEREAS, The Ferndale High School band has achieved many state, regional and national awards in recognition of its high standards and quality; and

WHEREAS, The Ferndale High School band is one of the premier high school musical organizations in America; and

WHEREAS, Citizens of Ferndale, Whatcom County, others throughout the State of Washington, and numerous businesses and civic organizations have contributed generously to make this trip to Washington, D.C. possible; and

WHEREAS, The students, parents, faculty, band director Mel Hansen, the Ferndale band boosters, superintendent Dennis Peterson and the Ferndale School District Board of Directors have all dedicated themselves to making this trip a successful educational experience while representing the State of Washington with honor and distinction;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives congratulates the Ferndale High School band, and the many people, businesses, and civic organizations who have assisted them, on their deserved selection as representatives of the entire state of Washington at the Second Inaugural of President Ronald Reagan; and

BE IT FURTHER RESOLVED, That the Washington State House of Representatives wishes them a safe and enjoyable educational adventure in our nation's capitol.

On motion of Mr. Kremen, House Resolution No. 85-6 was adopted.

HOUSE FLOOR RESOLUTION NO. 85-8, by Representatives J. King and Barrett

BE IT RESOLVED, That pursuant to the recommendation of the House Rules Committee adopted on January 18, 1985, the temporary rules of the House of Representatives as set forth in House Floor Resolution No. 85-1 be adopted as the permanent House Rules for the Forty-Ninth Legislature with the following amendment:

On page 24 of the temporary rules, line 616,

Rule 29 following "representatives" insert

"or within the House Chamber"

Mr. J. King moved adoption of the resolution.

Mr. B. Williams moved adoption of the following amendment:

On page 1 of HFR 85-8 following the last line insert the following new rule:

"Rule 14. Notwithstanding the provisions of Rule 13(B), all bills, memorials and resolutions which appropriate funds or authorize the expenditure of funds from any source for any purpose shall require on their final passage the affirmative approval of sixty percent (60%) of the members elected to the house."

Renumber the remaining rules consecutively.

Mr. B. Williams spoke in favor of the amendment, and Mr. J. King spoke against it.

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

#### ROLL CALL

The Clerk called the roll on adoption of the amendment to page 1 of House Resolution No. 85-1 and the amendment was not adopted by the following vote: Yeas, 41; nays, 53; excused, 4.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Brooks, Chandler, Dobbs, Doly, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Nealey, Nelson G. Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C. Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, Williams B, Williams J, Wilson S, Winsley - 41.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 53.

Excused: Representatives Brough, Miller, Smith L, West - 4.

Mr. Barrett moved adoption of the following amendment:

On page 21 of the temporary rules amend Rule 25A beginning on line 546 by striking all language following "Provided, That" through "law" on line 547 and insert "only adequate publicity, as determined by the speaker with regard to the circumstances, including but not limited to, the time remaining, the nature of the subject, and the number of prior hearings on the subject, shall be required when fifteen (15) days or less remain before a session must end by law"

Representatives Barrett and J. King spoke in favor of the amendment, and it was adopted.

Mr. Barrett moved adoption of the following amendment:

On page 1, following the last line insert the following:

On page 22 of the temporary rules amend rule 25(D)(1) beginning on line 555 following "bill" insert ": PROVIDED, That no bill may be voted upon on third reading unless at least one public hearing was held on the bill before a committee of the house"

Mr. Barrett spoke in favor of the amendment, and Mr. Appelwick spoke against it.

#### POINT OF INQUIRY

Mr. Appelwick yielded to question by Mr. Isaacson.

Mr. Isaacson: "Representative Appelwick, if a bill is heard by a subcommittee, but not the full committee, would that be covered under the existing rules or would it be covered under this amendment?"

Mr. Appelwick: "If the bill is to be heard and acted on by the committee, it would be heard before the committee. A subcommittee hearing may provide for a committee hearing depending on the ruling of the Speaker and the ruling of the Chair."

Representatives Isaacson, Schmidt and Schoon spoke in favor of the amendment.

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

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Barrett to page 22 of House Resolution No. 85-1, and the amendment was not adopted by the following vote: Yeas, 41; nays, 53; excused, 4.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Brooks, Chandler, Dobbs, Doly, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, Williams B, Williams J, Wilson S, Winsley - 41.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 53.

Excused: Representatives Brough, Miller, Smith L, West - 4.

#### POINT OF CLARIFICATION

Mr. Appelwick: "Mr. Speaker, within the resolution, it is proposed that smoking will not be allowed within the House Chambers. Could you indicate for us what the definition of 'House Chambers' will be for the purposes of this rule?"

#### SPEAKER'S RULING

The Speaker: "For purposes of interpretation of 'Chambers' as it relates to this particular rule, it means the area within the curtains on the wings--anything within these wings. If this is adopted it would mean that there would be no smoking in this area."

Ms. Schmidt: "By that definition, does that also include the press tables? If so, what are the penalties for press and members who do violate this law?"

The Speaker: "For purposes of interpretation of this rule, it applies to all members, including on the rostrum, members and staff, as well as at the press tables--anything within the confines. As far as punishment, I'm sure nobody, Representative Schmidt, would dare violate any of our rules and we will, in fact, decide those as they come up as we would in any violation of any rule."

The Speaker declared the question before the House to be the final passage of House Floor Resolution No. 85-8 as amended.

Representatives J. King, Barrett and Walker spoke in favor of the resolution and Representatives Isaacson and Taylor spoke against it.

House Resolution No. 85-8, adopting and amending House Resolution No. 85-1, was adopted.

#### MOTION

On motion of Mr. J. King, the House adjourned until 11:00 a.m., Wednesday, January 23, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk



## TENTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, January 23, 1985.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Belcher and L. Smith who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Laresa Rawson and Amy Ruble. Prayer was offered by Reverend Larry Speicher of the First United Methodist Church of Olympia.

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

## MESSAGES FROM THE SENATE

January 21, 1985

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 3040,  
SENATE BILL NO. 3041,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

January 21, 1985

Mr. Speaker:

The President has signed:

SENATE CONCURRENT RESOLUTION NO. 105,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE CONCURRENT RESOLUTION NO. 105.

## SELECT COMMITTEE ASSIGNMENTS

The Speaker announced the following committee assignments:

Joint Administrative Rules Review Committee: Representatives R. King, Chair; Niemi, Prince, B. Williams;

Joint Legislative Ethics Board: Representatives Leonard, Van Luven;

Joint Legislative Arts Commission: Representative O'Brien, Chair;

Select Committee on the Clean-up and Management of Puget Sound: Representatives Betzoff, Dobbs, Grimm, Haugen, Hine, Lundquist, May, G. Nelson, Rust, Schmidt, Smitherman, Thomas, Unsoeld, Vekich, Wang.

## INTRODUCTIONS AND FIRST READING

HB 147 by Representatives Niemi, S. Wilson, O'Brien, Miller, P. King, Schoon, Bond, K. Wilson, Long, Patrick, Fisher, C. Smith, May, Hankins, Tanner, Brough, Wang, Jacobsen and Taylor

AN ACT Relating to business and occupation tax deductions for artistic or cultural organizations; amending RCW 82.04.4328; adding a new section to chapter 82.04 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 148 by Representatives Walk, Brough, P. King, Gallagher, Schoon, May and Isaacson

AN ACT Relating to motor vehicle fund distributions; and amending RCW 46.68.115.

Referred to Committee on Transportation.

**HB 149** by Representatives Nutley, B. Williams, and Haugen

AN ACT Relating to taxation of personal property; and amending RCW 84.56.090.

Referred to Committee on Local Government.

**HB 150** by Representatives Haugen, Brough, Zellinsky, May, Allen, Nutley, Isaacson and Jacobsen

AN ACT Relating to special districts; amending RCW 85.05.085, 85.05.280, 85.05.410, 85.05.580, 85.06.080, 85.06.250, 85.06.380, 85.08.290, 85.08.300, 85.08.320, 85.08.610, 85.20.030, 85.20.050, 85.22.030, 85.22.050, 85.22.070, 85.24.070, 85.24.080, 85.36.010, 86.09.184, 86.09.259, 86.09.271, 86.09.274, 86.09.283, 86.09.304, 86.09.388, 86.09.391, 86.09.409, 86.09.418, 86.09.451, 86.09.568, 86.09.577, 86.09.592, 86.09.610, 86.09.622, and 86.09.625; adding a new chapter to Title 85 RCW; adding new sections to chapter 85.05 RCW; adding new sections to chapter 85.06 RCW; adding new sections to chapter 85.08 RCW; adding new sections to chapter 85.24 RCW; adding new sections to chapter 85.36 RCW; adding new sections to chapter 86.09 RCW; and repealing RCW 85.05.020, 85.05.030, 85.05.040, 85.05.050, 85.05.060, 85.06.020, 85.06.030, 85.06.040, 85.06.050, 85.08.020, 85.08.040, 85.08.050, 85.08.060, 85.08.070, 85.08.080, 85.08.090, 85.08.100, 85.08.110, 85.08.120, 85.08.130, 85.08.140, 85.08.150, 85.08.160, 85.08.170, 85.08.180, 85.08.290, 85.20.040, 85.22.040, 85.24.030, 85.24.040, 86.09.007, 86.09.022, 86.09.025, 86.09.028, 86.09.031, 86.09.034, 86.09.037, 86.09.040, 86.09.043, 86.09.046, 86.09.049, 86.09.052, 86.09.055, 86.09.058, 86.09.061, 86.09.064, 86.09.067, 86.09.070, 86.09.073, 86.09.076, 86.09.079, 86.09.082, 86.09.085, 86.09.088, 86.09.091, 86.09.094, 86.09.097, 86.09.100, 86.09.103, 86.09.106, 86.09.109, 86.09.112, 86.09.115, 86.09.118, 86.09.121, 86.09.124, 86.09.127, 86.09.130, 86.09.133, 86.09.136, 86.09.139, 86.09.142, 86.09.145, 86.09.187, 86.09.238, 86.09.241, 86.09.244, 86.09.247, 86.09.250, 86.09.253, 86.09.256, 86.09.262, 86.09.289, 86.09.295, 86.09.298, 86.09.316, 86.09.331, 86.09.334, 86.09.337, 86.09.340, 86.09.343, 86.09.346, 86.09.349, 86.09.352, 86.09.355, 86.09.358, 86.09.361, 86.09.364, 86.09.367, 86.09.370, 86.09.373, and 86.09.376.

Referred to Committee on Local Government.

**HB 151** by Representatives Nealey, Niemi, Fuhrman, Belcher, Chandler, May, Isaacson and Silver; by Secretary of State request

AN ACT Relating to the seal of the state of Washington; adding a new chapter to Title 43 RCW; repealing RCW 9.91.050 and 9.91.055; and prescribing penalties.

Referred to Committee on State Government.

**HB 152** by Representatives Grimm, Sommers, Vander Stoep and Basich

AN ACT Relating to community college vendor payments; and amending RCW 28B.50.143.

Referred to Committee on Higher Education.

**HB 153** by Representatives Armstrong, Crane, Brekke, Long, Schmidt, P. King, Winsley, S. Wilson, Bond, Van Luven, Isaacson, Ballard, Hastings, May, Holland, Hankins, Doty, Brough, Wang, J. Williams and Tanner; by Department of Social and Health Services request

AN ACT Relating to child support enforcement; amending RCW 74.20.040, 74.20A.040, 74.20.330, 74.20A.020, 74.20A.030, 74.20A.080, 74.20A.100, 74.20A.160, 74.20A.180, 74.20A.200, 74.20A.230, 74.20A.240, 74.20A.250, and 74.20A.270; adding a new section to chapter 74.20A RCW; repealing RCW 74.20.020; and prescribing penalties.

Referred to Committee on Social & Health Services.

**HB 154** by Representatives G. Nelson, Brekke, B. Williams, S. Wilson, Schoon, Isaacson, Ballard, Walker, C. Smith, May, Hankins and Silver; by Legislative Budget Committee request

AN ACT Relating to a state library network; amending RCW 39.04.010, 39.29.006, 41.06.020, 41.40.010, and 43.78.030; adding new sections to chapter 27.26 RCW; adding a new section to chapter 41.04 RCW; adding a new section to chapter 43.10 RCW; adding a new section to chapter 43.19 RCW; adding a new section to chapter 43.105 RCW; adding a new section to chapter 43.131 RCW; creating new sections; repealing RCW 27.26.010,

27.26.020, 43.105.100, 43.105.110, 43.105.120, 43.105.130, 43.131.289, and 43.131.290; providing an effective date; and declaring an emergency.

Referred to Committee on State Government.

HB 155 by Representative P. King

AN ACT Relating to notaries public; amending RCW 43.07.035; adding a new chapter to Title 42 RCW; creating new sections; repealing RCW 42.28.010, 42.28.020, 42.28.030, 42.28.035, 42.28.040, 42.28.050, 42.28.060, 42.28.070, 42.28.090, 42.28.100, 42.28.110, 42.28.120, 42.28.130, 43.06.100, 43.131.299, and 43.131.300; and prescribing penalties.

Referred to Committee on Commerce & Labor.

HB 156 by Representatives Winsley, Dellwo, Schoon, May, Holland and Wang; by Department of Licensing request

AN ACT Relating to motor vehicle financial responsibility; and amending RCW 46.29.280.

Referred to Committee on Financial Institutions & Insurance.

HB 157 by Representatives Winsley, Dellwo, P. King and Schoon; by Department of Licensing request

AN ACT Relating to motor vehicle accidents; and amending RCW 46.29.070.

Referred to Committee on Transportation.

HB 158 by Representatives Winsley, Dellwo, P. King, Schoon and Isaacson; by Department of Licensing request

AN ACT Relating to the suspension of drivers' licenses; and amending RCW 46.20.311.

Referred to Committee on Transportation.

HB 159 by Representatives Belcher, Taylor, Sutherland, Peery and P. King

AN ACT Relating to rewards; and amending RCW 10.85.030, 10.85.040, and 10.85.050.

Referred to Committee on State Government.

HB 160 by Representative P. King

AN ACT Relating to preadmission screening; amending RCW 28A.58.190; and adding a new section to chapter 28A.16 RCW.

Referred to Committee on Education.

HB 161 by Representatives P. King and Lux

AN ACT Relating to termination of fund restrictions; adding a new chapter to Title 43 RCW; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 162 by Representatives Sayan, Belcher, Chandler, C. Smith, Barrett, R. King, Gallagher, Betrozoff, Sutherland, Hastings, Niemi, Miller, Silver, Jacobsen and Basich

AN ACT Relating to unemployment compensation; and adding a new section to chapter 50.04 RCW.

Referred to Committee on Commerce & Labor.

HB 163 by Representatives Leonard, Allen, Walk, Brekke, Barrett, Jacobsen, Cole, R. King, Walker, Valle, Fisch, Winsley, Braddock, Kremen, Bond, Van Luven, K. Wilson, G. Nelson, Ballard, May, Holland, Hankins, Tanner, Miller, Brough, Silver, Tilly, Basich and Taylor

AN ACT Relating to drivers' licensure; and amending RCW 46.20.031 and 46.65.060.

Referred to Committee on Social & Health Services.

HB 164 by Representatives Fuhrman, Ballard, Hargrove, L. Smith, Chandler, Bristow, Patrick, Gallagher, Barrett, Dobbs, van Dyke, Van Luven, Bond, B. Williams, Isaacson, Hastings and J. Williams

AN ACT Relating to parental consent for abortions; adding a new chapter to Title 70 RCW; and prescribing penalties.

Referred to Committee on Social & Health Services.

**HB 165** by Representatives Fuhrman, Cole, Van Luven, Chandler, Bond and J. Williams

AN ACT Relating to the state lottery; amending RCW 66.08.050; and repealing RCW 67.70.010, 67.70.020, 67.70.030, 67.70.040, 67.70.050, 67.70.060, 67.70.070, 67.70.080, 67.70.090, 67.70.100, 67.70.110, 67.70.120, 67.70.130, 67.70.140, 67.70.150, 67.70.160, 67.70.170, 67.70.180, 67.70.190, 67.70.200, 67.70.210, 67.70.220, 67.70.230, 67.70.240, 67.70.250, 67.70.260, 67.70.270, 67.70.280, 67.70.290, 67.70.300, 67.70.310, 67.70.320, 67.70.330, 67.70.900, 67.70.902, 67.70.903, and 9.46.291.

Referred to Committee on Ways & Means.

**HB 166** by Representatives Sayan, Sommers, Belcher, Prince and Jacobsen

AN ACT Relating to public university and college construction bids; and amending RCW 28B.10.350.

Referred to Committee on Higher Education.

**HB 167** by Representatives Lux, Holland, Leonard, Tilly, Sommers, Long, Rust, Allen, Winsley, Brough, Cole, Miller, Smitherman, Schoon, Betrozoff, B. Williams, Silver, Wang, Vander Stoep, Grimm, Van Luven, Sanders, Isaacson, Ballard, Walker, May and Doty

AN ACT Relating to cigarette taxes; reenacting and amending RCW 82.24.260; adding a new section to chapter 82.24 RCW; and providing an effective date.

Referred to Committee on Ways & Means.

**HB 168** by Representatives R. King, Jacobsen, Fisch and Appelwick

AN ACT Relating to higher education personnel; and adding a new section to chapter 28B.16 RCW.

Referred to Committee on Commerce & Labor.

**HB 169** by Representatives Hine, Sayan, Patrick, Basich, Vekich, Barnes, Hargrove, Holland, Crane and Todd

AN ACT Relating to public lands; creating new sections; making an appropriation; and declaring an emergency.

Referred to Committee on Ways & Means.

**HB 170** by Representatives Vander Stoep, Grimm, Sommers, G. Nelson, Betrozoff, Braddock, Isaacson, Hastings, Walker, Fuhrman and Brough

AN ACT Relating to admission standards to institutions of higher education; adding a new section to chapter 28A.03 RCW; adding new sections to chapter 28B.10 RCW; adding new sections to chapter 28B.80 RCW; repealing RCW 28B.10.045, 28B.10.050, and 28B.10.052; and making an appropriation.

Referred to Committee on Higher Education.

**HB 171** by Representatives Grimm, Vander Stoep, Sommers and Miller

AN ACT Relating to the organization of the regional universities and The Evergreen State College; adding a new chapter to Title 28B RCW; adding new sections to chapter 43.131 RCW; repealing section 1 of this act and RCW 28B.\_\_\_\_\_; repealing section 2 of this act and RCW 28B.\_\_\_\_\_; repealing section 3 of this act and RCW 28B.\_\_\_\_\_; repealing section 4 of this act and RCW 28B.\_\_\_\_\_; and repealing section 5 of this act and RCW 28B.\_\_\_\_\_; making an appropriation; providing an effective date; and declaring an emergency.

Referred to Committee on Higher Education.

**HB 172** by Representative P. King

AN ACT Relating to notaries public; adding new sections to chapter 42.28 RCW; repealing RCW 42.28.010, 42.28.020, 42.28.030, 42.28.035, 42.28.040, 42.28.050, 42.28.060,

42.28.070, 42.28.090, 42.28.100, 42.28.110, 42.28.120, 42.28.130, 43.131.299, and 43.131.300; and prescribing penalties.

Referred to Committee on Commerce & Labor.

HB 173 by Representatives D. Nelson, Barnes and Fisher

AN ACT Relating to voter records; amending RCW 29.07.080 and 29.51.060.

Referred to Committee on Constitution, Elections & Ethics.

HB 174 by Representatives Valle, Barrett, Winsley, P. King, Ebersole, Rayburn, Appelwick, Allen, Armstrong and Wang

AN ACT Relating to educational excellence; amending RCW 28A.41.140; adding a new section to chapter 28A.03 RCW; adding new sections to chapter 28A.58 RCW; adding a new section to chapter 28A.67 RCW; adding a new section to chapter 28A.71 RCW; and creating new sections.

Referred to Committee on Education.

HB 175 by Representatives Belcher, Hankins, Unsoeld, Allen, Baugher, Todd, Dellwo, Niemi, Smitherman, Peery, Locke, Leonard, K. Wilson, Prince, Lewis, Sayan, P. King, B. Williams, Schoon and Addison; by Department of Personnel request

AN ACT Relating to the career executive program; adding new sections to chapter 43.131 RCW; repealing RCW 41.06.430 and 41.06.440; providing an effective date; and declaring an emergency.

Referred to Committee on State Government.

HB 176 by Representatives Ebersole, Taylor, Vekich, Basich, Hankins, Todd, Patrick, Sanders, Winsley, Schoon, Bond, G. Nelson, Isaacson and Miller

AN ACT Relating to veterans; and amending RCW 41.04.005.

Referred to Committee on State Government.

HB 177 by Representatives Ebersole, Taylor, Vekich, Basich, Hankins, Sutherland, Patrick, Sanders, Fisch, Winsley, S. Wilson, Kremen, Schoon, Bond, G. Nelson and Isaacson

AN ACT Relating to veterans; and amending RCW 73.04.080.

Referred to Committee on Local Government.

HB 178 by Representatives Belcher, Hankins, Unsoeld, Allen, Baugher, Todd, Dellwo, Niemi, Smitherman, Prince, Locke, Peery, O'Brien, Leonard, Wang, K. Wilson, Wineberry, Lewis, Fisher, Sayan, P. King, Isaacson and Basich; by Secretary of State request

AN ACT Relating to the Washington state internship program; adding new sections to chapter 43.06 RCW; adding a new section to chapter 41.06 RCW; and adding a new section to chapter 28B.16 RCW.

Referred to Committee on State Government.

HB 179 by Representatives Belcher, Lundquist, Bristow, Smitherman, Allen, Baugher, Lewis, Fisher, Locke, Unsoeld, Dellwo, Wang, Walker, Sayan, Jacobsen, P. King, Winsley, Sanders, May and Hankins

AN ACT Relating to migratory waterfowl; amending RCW 77.32.350; adding a new section to chapter 77.08 RCW; adding new sections to chapter 77.12 RCW; adding a new section to chapter 77.16 RCW; and making an appropriation.

Referred to Committee on Natural Resources.

HB 180 by Representatives Gallagher, Crane, Fisher, Scott, McMullen, P. King and Basich

AN ACT Relating to elections; adding a new section to chapter 29.85 RCW; and prescribing penalties.

Referred to Committee on Constitution, Elections & Ethics.

HB 181 by Representatives Brekke, Tilly, Sommers, G. Nelson, Vander Stoep, Grimm, B. Williams, P. King, Bond, Long, Sayan, R. King, Isaacson, Patrick, May, Miller, Brough and Silver; by Legislative Budget Committee request

AN ACT Relating to victims of sexual assault; amending RCW 70.125.040; repealing RCW 70.125.070; providing an effective date; and declaring an emergency.

Referred to Committee on Social & Health Services.

HB 182 by Representatives Ebersole, Holland, Rayburn, P. King, Valle, Winsley, Hastings, O'Brien and Wang; by Superintendent of Public Instruction request

AN ACT Relating to the Washington state honors awards program; adding new sections to chapter 28A.03 RCW; and making an appropriation.

Referred to Committee on Education.

HB 183 by Representatives Day, Padden, Appelwick, Madsen, Lewis, Taylor, D. Nelson, Winsley, S. Wilson, Schoon, Bond, Van Luven, Sanders, Long, R. King, G. Nelson, Isaacson, Patrick, Ballard, Hastings, Dellwo, Walker, C. Smith, May, Addison, Holland, Hankins, Doty, Tanner, Miller, Silver, Wang, Tilly and J. Williams

AN ACT Relating to excise taxes; amending RCW 82.08.0293 and 82.12.0293; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 184 by Representatives Braddock, Silver, Kremen, Zellinsky and Haugen

AN ACT Relating to public transportation benefit area authorities; and amending RCW 36.57A.050.

Referred to Committee on Transportation.

HB 185 by Representatives Tanner, Miller, Isaacson, Armstrong, Appelwick, Schoon, Long, Hankins and J. Williams

AN ACT Relating to nursing home rate adjustments; and amending RCW 74.46.460.

Referred to Committee on Social & Health Services.

HB 186 by Representatives Madsen, Miller, Todd, Walk, P. King, Winsley and Isaacson

AN ACT Relating to mutilation of animals; and adding a new section to chapter 16.52 RCW.

Referred to Committee on Agriculture.

HB 187 by Representatives Madsen, Sommers and Walk

AN ACT Relating to state-authorized improvements to state highways by counties and service districts; amending RCW 36.83.010 and 36.88.010; adding a new section to chapter 36.75 RCW; and adding a new section to chapter 47.05 RCW.

Referred to Committee on Transportation.

HB 188 by Representatives Madsen, Todd and P. King

AN ACT Relating to removal of repossessed mobile homes from mobile home parks; and adding a new section to chapter 59.20 RCW.

Referred to Committee on Judiciary.

HB 189 by Representatives Madsen, Haugen, Brough, Ebersole, Ballard, Smitherman, Winsley and Holland

AN ACT Relating to property tax levies by fire protection districts; and amending RCW 52.16.160.

Referred to Committee on Local Government.

HB 190 by Representatives Wang, Patrick and Ballard; by Department of Licensing request

AN ACT Relating to escrow agents; amending RCW 18.44.010, 18.44.240, and 18.44.360; and repealing RCW 18.44.215 and 18.44.208.

Referred to Committee on Commerce & Labor.

HB 191 by Representatives McMullen, Lundquist, Sutherland, S. Wilson, Sayan and May

AN ACT Relating to violations of food fish and shellfish laws; and amending RCW 75.08.230.

Referred to Committee on Natural Resources.

HB 192 by Representatives Fisher, Miller, Valle, D. Nelson, Jacobsen, Unsoeld, Leonard, Tanner, Sayan, Dellwo, Lux and Armstrong

AN ACT Relating to campaign financing; amending RCW 42.17.010 and 42.17.030; adding new sections to chapter 42.17 RCW; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Constitution, Elections & Ethics.

HB 193 by Representatives P. King, Armstrong and Wang

AN ACT Relating to school levies; reenacting and amending RCW 84.52.0531; and declaring an emergency.

Referred to Committee on Education.

HB 194 by Representatives Haugen, Miller, Ballard, R. King, Allen and Isaacson

AN ACT Relating to procedures for commencing withdrawal of territory from a water district or sewer district; adding a new section to chapter 56.28 RCW; and adding a new section to chapter 57.28 RCW.

Referred to Committee on Local Government.

HB 195 by Representatives O'Brien and P. King

AN ACT Relating to industrial finance; and adding a new chapter to Title 43 RCW.

Referred to Committee on Trade & Economic Development.

HB 196 by Representatives Brekke, Lewis and Braddock; by Department of Social and Health Services request

AN ACT Relating to licensing of nursing homes; amending RCW 74.42.380, 18.51.050, 18.52A.020, and 18.52A.030; adding a new section to chapter 18.51 RCW; and adding a new section to chapter 74.42 RCW.

Referred to Committee on Social & Health Services.

HB 197 by Representatives Brekke, Lewis, Braddock, Sanders, Sayan and Isaacson; by Department of Social and Health Services request

AN ACT Relating to adjusting nursing home prospective rates for energy retrofitting; and amending RCW 74.46.460.

Referred to Committee on Social & Health Services.

HB 198 by Representatives Sayan, Wang, Chandler and Rayburn

AN ACT Relating to motor vehicles; and amending RCW 46.12.101.

Referred to Committee on Transportation.

HB 199 by Representatives R. King, Patrick, Wang, Fisch, Ebersole, Sayan, Belcher, Locke and Fisher

AN ACT Relating to farm labor; amending RCW 19.30.010, 19.30.020, 19.30.030, 19.30.040, 19.30.050, 19.30.060, 19.30.070, 19.30.080, 19.30.110, 19.30.120, and 19.30.130; adding new sections to chapter 19.30 RCW; and repealing RCW 19.30.100 and 19.30.140.

Referred to Committee on Commerce & Labor.

HB 200 by Representative P. King

AN ACT Relating to driving without a valid driver's license; amending RCW 46.20.021, 46.20.342, 46.20.416, 46.20.420, and 46.65.090; and prescribing penalties.

Referred to Committee on Judiciary.

HB 201 by Representative Grimm

AN ACT Relating to boards of trustees and regents at institutions of higher education; and amending RCW 28B.20.100, 28B.30.100, 28B.35.100, and 28B.40.100.

Referred to Committee on Higher Education.

HB 202 by Representatives Patrick, Padden, Hargrove, Fuhrman, Bristow, L. Smith, Dobbs, Barrett, Van Luven, Bond, Hastings, J. Williams, West, B. Williams, Long, Sayan, Isaacson and Ballard

AN ACT Relating to abortion; and adding a new section to chapter 9.02 RCW.

Referred to Committee on Judiciary.

HB 203 by Representatives Patrick, Holland, Leonard, Brough, Schmidt, Crane, Todd, Padden, Lux, Zellinsky, Schoon, Bond, Sanders, Isaacson, May and J. Williams

AN ACT Relating to counties; amending RCW 36.82.040 and 36.33.220; and adding a new section to chapter 36.82 RCW.

Referred to Committee on Transportation.

HB 204 by Representatives Brekke, B. Williams and Tanner

AN ACT Relating to the board of prison terms and paroles; amending RCW 9.95.009; and declaring an emergency.

Referred to Committee on Social & Health Services.

HB 205 by Representatives Lux, Winsley and Zellinsky; by Department of Licensing request

AN ACT Relating to the securities act of Washington; amending RCW 21.20.320, 21.20.340; making an appropriation; providing an effective date; and declaring an emergency.

Referred to Committee on Financial Institutions & Insurance.

HB 206 by Representatives Brekke, Lewis, Day, Ballard and Dellwo

AN ACT Relating to consent for health care; amending RCW 70.122.010, 70.122.020, 70.122.030, 70.122.050, 70.122.060, 70.122.070, 70.122.080, and 70.122.090; adding new sections to chapter 70.122 RCW; and adding new sections to chapter 11.94 RCW.

Referred to Committee on Social & Health Services.

HB 207 by Representatives Armstrong, Long, Jacobsen, Nealey, Todd and Isaacson

AN ACT Relating to the jurisdiction of the utilities and transportation commission over economic rate regulation and entry control of telecommunications providers; amending RCW 80.04.010, 80.01.040, 80.04.110, 80.04.130, 80.04.500, 80.24.010, 80.36.010, 80.36.020, 80.36.030, 80.36.040, 80.36.050, 80.36.060, 80.36.070, 80.36.080, 80.36.090, 80.36.100, 80.36.110, 80.36.120, 80.36.130, 80.36.140, 80.36.150, 80.36.160, 80.36.170, 80.36.180, 80.36.190, 80.36.200, 80.36.220, 80.36.225, 80.36.230, 80.36.260, 80.36.270, and 80.54.010; adding new sections to chapter 80.36 RCW; and creating new sections.

Referred to Committee on Energy & Utilities.

HB 208 by Representatives Niemi, Ballard and P. King

AN ACT Relating to respiratory care and licensing of respiratory care practitioners; amending RCW 18.130.040; reenacting and amending RCW 18.120.020; adding a new chapter to Title 18 RCW; making an appropriation; and providing an effective date.

Referred to Committee on Social & Health Services.

HB 209 by Representatives Wang, Lewis, Locke, West, Crane, Appelwick, Schoon, P. King, G. Nelson, Miller, Fisher, K. Wilson, Allen, Unsoeld, Armstrong, Dellwo, Tilly, Van Luven, Scott, Patrick, D. Nelson, Winsley, Bristow, R. King, Isaacson, Rust, Doty, Ebersole and Basich

AN ACT Relating to arson; and amending RCW 9A.48.010 and 9A.48.020.

Referred to Committee on Judiciary.



HB 210 by Representatives Crane, Todd, P. King, Zellinsky, Gallagher, Walk and Fisch

AN ACT Relating to motor vehicle lighting; and amending RCW 46.37.050, 46.37.100, and 46.37.200.

Referred to Committee on Transportation.

HB 211 by Representatives Berozoff, Ebersole, Holland, Valle, Long, Bristow, Patrick, Day, Chandler, Dellwo, Bond, Kremen, Isaacson, Silver, Barrett, Smitherman, Van Luven, K. Wilson, Ballard, Walker, C. Smith, May, Tanner, Miller, Brough and Taylor

AN ACT Relating to home schooling; amending RCW 28A.02.201, 28A.27.010, and 28A.41.145; and adding new sections to chapter 28A.27 RCW.

Referred to Committee on Education.

HJR 4 by Representatives Madsen, Smitherman, Todd, Baugher, Day, Dellwo, Rayburn, Bond and Taylor

Authorizing current use valuation for all real property.

Referred to to Committee on Ways & Means.

HJR 5 by Representative O'Brien

Revising constitutional prohibitions against the lending of public moneys or credit.

Referred to Committee on Trade & Economic Development.

SB 3040 by Senators Talmadge, Newhouse and von Reichbauer; by Department of Community Development and Office of the Code Reviser request

Correcting obsolete references relating to the department of community development.

Referred to Committee on Judiciary.

SB 3041 by Senators Talmadge, Newhouse, Conner and Rasmussen; by Office of the Code Reviser request

Deleting obsolete statutory references and nomenclature from the Revised Code of Washington.

Referred to Committee on Judiciary.

SCR 103 by Senator Williams

Extending the Joint Legislative Committee on Science and Technology.

#### MOTION

On motion of Mr. J. King, the bills and resolutions listed on today's agenda under the fourth order of business were considered first reading and referred to the committees designated, except SCR 103, which was held on first reading.

#### REPORT OF STANDING COMMITTEE

January 21, 1985

HJM 1 Prime Sponsor, Representative Walk: Requesting Congress to allow release of Interstate Highway construction funds. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Wineberry, Vice Chair; Van Luven, Baugher, Berozoff, Bond, Fisch, Fisher, Gallagher, Hankins, Haugen, Kremen, Lundquist, McMullen, Patrick, C. Smith, Thomas, Valle, J. Williams, K. Wilson and Zellinsky.

Absent: Representatives Kremen, McMullen, Sutherland and Tanner.

Passed to Committee on Rules for second reading.

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

## MOTION

On motion of Mr. J. King, the rules were suspended to allow consideration of House Floor Resolution No. 85-9.

## RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 85-9, by Representatives J. King and Barrett

WHEREAS, It has been the custom for many years that the House of Representatives arrange and pay for a group picture of all members thereof, to be properly mounted and framed, in order that said picture may be hung in the legislative halls; and

WHEREAS, A certain procedure is necessary in order to designate whom the photographer shall be; and

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Speaker appoint a committee of three House members to consider and recommend to the House the official photographer for the Forty-ninth Session of the Legislature.

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

## MOTION

On motion of Mr. Barrett, the rules were suspended to allow consideration of House Floor Resolution No. 85-10.

HOUSE FLOOR RESOLUTION NO. 85-10, by Representative Unsoeld

WHEREAS, The members of the House of Representatives hold a sacred trust with the people of the State of Washington to set a high standard of leadership in order to develop public trust in our political system; and

WHEREAS, The unfair campaign practices of a member of this body, Representative van Dyke, impugn the honor and integrity of the House of Representatives; and

WHEREAS, The actions of Representative van Dyke have shown contempt for the House of Representatives and for the electoral process;

NOW, THEREFORE, BE IT RESOLVED, By the members of the House of Representatives, That Representative van Dyke is hereby expelled from the House of Representatives under Article II, Section 9 of the State Constitution for contempt, for violating the public trust and for failing to meet the high standards demanded of a Representative from District Thirty-nine B; and

BE IT FURTHER RESOLVED, That the Chief Clerk notify the Secretary of State and the county officials of Snohomish County, State of Washington, that a vacancy be filled in the manner provided by the Constitution and laws of the State of Washington.

Ms. Unsoeld moved adoption of the resolution. Representative Unsoeld spoke in favor of the resolution, and Mr. Tilly spoke against it.

## POINT OF PARLIAMENTARY INQUIRY

Mr. van Dyke: "Mr. Speaker, am I eligible to vote on this matter?"

## SPEAKER'S RULING

The Speaker: "The Speaker would like to call to the attention of all the members, Rule 20 of the Rules of the House, and to the citation which mentioned in the adopted Rules, page 9, and to the constitutional reference of Article II, section 30, Representative van Dyke. It is the view of the Speaker that Representative van Dyke shall be excused from voting on this issue because of Rule 20."

## POINT OF PARLIAMENTARY INQUIRY

Mr. Dellwo: "What vote does it require for the passage of this resolution?"

The Speaker: "Sixty-six of those members elected."

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

## MOTION

On motion of Mr. Barrett, the following remarks were ordered spread upon the Journal:

Ms. Unsoeld: "Mr. Speaker and members of the House: This is not a speech I care to make today. It is probably not a speech you care to hear, but it is a speech that must be made. This issue is with us when we arrive in the morning; it distracts us, it hovers over us throughout the day and then haunts us in the dark. We owe it to the citizens of this state and to Representative van Dyke to place this issue before us and act upon it. This issue is of a significance, such that we need to face it squarely as individuals and as a legislative body accountable to the public and decide how this situation can best be resolved.

"We all carry with us the frailties of being human. We all make mistakes and sometimes our actions send forth waves that break upon shores we may never see. I rise to speak in support of this resolution. Each of us, in our minds, must weigh for ourselves and our constituents the consequences to the public trust of the events of the election in District 39B. We must weigh the harmful effects, all of which we may not know -- we may not now be aware -- but we must, nevertheless weigh the effects of those events on this legislature and on the political process. The duty to confront our responsibility for maintaining the integrity of this institution and the political process falls first upon the shoulders of the individual, Representative van Dyke, and then on all of us together as members of the House of Representatives; not just as individuals, but as a single representative of the citizens of the State of Washington. We may not know whether or not our actions here today, when this comes to a vote, will, in the final analysis, be the right one. Nevertheless, the gravity of this situation is such that we need to take a stand. Each of us must examine our conscience and then in fear, in trembling, each of us must vote to defend the integrity of this institution and to make the term 'politicians' something to which our young can aspire."

Mr. Tilly: "It was a very heavy time on me, when I was asked if I would like to speak on this particular resolution today. I would like you to consider my reasons why I feel that we should vote against this resolution. I have to confess that after doing a lot of reading on this issue and listening to some of the media reports and talking to the six members who have served on the select committee, that I feel that what we have gone through is going to be of benefit to all of us. I like to use the words, adversity equals opportunity, and in conclusion I will mention that again, because I feel that out of this, we have the opportunity to improve ourselves. I share with the speaker and with the rest of you a concern about this institution because I'm proud that I'm a politician, that I'm a State Representative. It's something I've given a lot of my life to and I want the people of my district and in this state to be proud of what I am doing. I feel that the process that's been going on here -- the appointment of the select committee that was bipartisan -- has been a good process for the institution and for the six people who served on that, a good process for the person who offended the institution.

"Historically, according to the House Journals, one person has been expelled by the House of Representatives. That was in 1933, and was a person by the name of Nelson Robinson who was a convicted rapist. We have a far different situation today. Let's talk about the process again and the trust between the six members of that select committee, and we with you. We supported the committee -- we supported your conclusion on January 14, when we accepted your report, and again, on the 17th, following up on the process, and we all voted -- I believe it was unanimously -- to reprimand our colleague. I really felt that there was a lot of trust built up by the work of the committee and those of us here in the institution. I think the real question comes up as to how sincere was this member about his apology. How contrite was he in his apology? I think I really had questions about that at first because I think the member and some of the rest took it rather lightly. I think there has been a real change because I think the person really feels that we weren't kidding and the people back home aren't kidding either. I'm sure it has been very, very difficult, but it takes an awful lot for any of us to get up here and say, 'I'm sorry for what I did, and I am wrong.' I believe that person now is contrite and for those reasons we should accept him as a member.

"Yesterday there was, I believe, a hearing before the Public Disclosure Commission. Representative van Dyke went to the Commission. He made no defense for his action; he said, 'I'm guilty,' and the only thing he offered was an apology. He could have gummed up the works by denying it and pointing his finger at others and all that sort of thing. I think we all realize what is possible in the legal process. They found him in violation and they fined him the maximum. I hope he paid it. I believe that this is further proof of his sincerity to want to be a member of this body, to be the best possible representative that he can be from his district, 39B.

"I would like to conclude by saying that I feel that we should turn down the resolution; we have publicly reprimanded this member. I also would like to say that I appreciate the comments that many people have made to me in conversations the last two weeks on both sides of the aisle. There has definitely been deep concern. There has been no one who has been happy about this. I feel that we should learn from adversity. I feel that we should tighten up the Campaign Practices Act. Finally, I feel that, if this is turned down, we should do everything we can to uplift one another to improve the process and especially the member from 39B. I feel that we should, as brothers and sisters, help that person to be the best possible representative there is."

#### ROLL CALL

The Clerk called the roll on adoption of House Resolution No. 85-10, and the resolution was not adopted by the following vote: Yeas, 43; nays, 52; excused, 3.

Voting yea: Representatives Allen, Appelwick, Armstrong, Basich, Baugher, Bristow, Cole, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Haugen, Hine, Jacobsen, King J, King P, King R, Leonard, Lux, Madsen, McMullen, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Sommers, Sutherland, Tanner, Todd, Unsöld, Valle, Vekich, Walk, Wang, Wilson K, Winsley, and Mr. Speaker - 43.

Voting nay: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Braddock, Brekke, Brooks, Brough, Chandler, Crane, Dobbs, Doty, Fuhrman, Hankins, Hargrove, Hastings, Holland, Isaacson, Kremen, Lewis, Locke, Long, Lundquist, May, Miller, Nealey, Nelson D, Nelson G, Niemi, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smitherman, Taylor, Thomas, Tilly, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Wineberry, Zellinsky - 52.

Excused: Representatives Belcher, Smith L, van Dyke - 3.

#### MOTION

On motion of Mr. J. King, the House adjourned until 11:00 a.m., Friday, January 25, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk

## TWELFTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Friday, January 25, 1985

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Ebersole, Thomas, B. Williams, K. Wilson and Wineberry, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Bill Thomas and Mike Buxton. Prayer was offered by Reverend Larry Speicher of the First United Methodist Church of Olympia.

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

## MESSAGE FROM THE SENATE

January 23, 1985

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 3072,  
SENATE BILL NO. 3073,  
SENATE BILL NO. 3074,  
SENATE BILL NO. 3075.

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

## INTRODUCTIONS AND FIRST READING

HB 212 by Representatives Rust, Allen, Unsoeld, Valle, Holland, Brekke, Crane, Fisher and Lux

AN ACT Relating to dangerous wastes; amending RCW 70.105.010 and 70.105.100; adding new sections to chapter 70.105 RCW; and making an appropriation.

Referred to Committee on Environmental Affairs.

HB 213 by Representatives Haugen, Smitherman, O'Brien and Isaacson

AN ACT Relating to insurance for port district commissioners; and amending RCW 53.08.170.

Referred to Committee on Local Government.

HB 214 by Representatives Baugher, Hargrove, Patrick, West, Tilly, Lundquist, Winsley, Lewis, Fuhrman, S. Wilson, Leonard, Hastings, van Dyke, Dobbs, Van Luvan, May, Bond, Valle, Ballard, Silver, Basich, Isaacson and Schoon

AN ACT Relating to watercraft; amending RCW 88.02.020; adding a new section to chapter 88.02 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

HB 215 by Representatives Locke, Baugher, Patrick, Tilly, Lundquist, Lewis, Bond, Long and Isaacson

AN ACT Relating to motor vehicles; and amending RCW 46.61.005.

Referred to Committee on Judiciary.

HB 216 by Representatives R. King, Patrick, Wang, Chandler, Fisch, Winsley and Lux

AN ACT Relating to common carrier railroads; adding new sections to chapter 81.40 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Transportation.

**HB 217** by Representatives K. Wilson, Miller, Basich, Unsoeld, Sommers and Cole

AN ACT Relating to tuition and fees at institutions of higher education; and amending RCW 28B.15.502.

Referred to Committee on Higher Education.

**HB 218** by Representatives Jacobsen, Prince, D. Nelson, Wineberry, Miller, K. Wilson, Sommers, Locke, Leonard, Lundquist, Crane and May

AN ACT Relating to the council for postsecondary education; amending RCW 28B.80.050, 28B.80.060, 28B.80.070, 28B.80.080, 28B.80.090, 28B.80.110, 28B.80.150, 28B.80.160, 28B.80.170, 28B.80.200, 28B.80.210, 28B.80.230, 28B.80.240, 28B.80.250, 28B.80.260, 28B.80.270, 28B.80.280, 28A.58.824, 28A.58.826, 28A.58.828, 28A.58.830, 28A.58.832, 28B.04.020, 28B.04.030, 28B.04.040, 28B.04.050, 28B.04.060, 28B.04.070, 28B.04.080, 28B.04.110, 28B.05.030, 28B.05.050, 28B.05.130, 28B.07.020, 28B.07.030, 28B.07.040, 28B.10.045, 28B.10.052, 28B.10.215, 28B.10.220, 28B.10.650, 28B.10.790, 28B.10.792, 28B.10.802, 28B.10.832, 28B.10.840, 28B.12.040, 28B.12.050, 28B.12.060, 28B.12.070, 28B.15.012, 28B.15.013, 28B.15.015, 28B.15.070, 28B.15.076, 28B.15.100, 28B.15.543, 28B.15.730, 28B.15.732, 28B.15.734, 28B.15.736, 28B.15.750, 28B.15.752, 28B.15.754, 28B.15.756, 28B.15.758, 28B.15.760, 28B.15.762, 28B.15.764, 28B.20.280, 28B.30.500, 28B.35.205, 28B.40.206, 28B.65.040, 28B.65.050, 28B.65.060, 28C.04.040, and 28C.04.510; amending section 6, chapter 166, Laws of 1983 (unmodified); adding new sections to chapter 28B.80 RCW; creating new sections; repealing RCW 28B.40.240, 28B.40.244, 28B.80.010, 28B.80.020, 28B.80.030, 28B.80.040, 28B.80.120, 28B.80.220, 43.131.259, and 43.131.260; providing effective dates; and declaring an emergency.

Referred to Committee on Higher Education.

**HB 219** by Representatives Appelwick, Niemi, Locke, Lewis, Armstrong and Patrick

AN ACT Relating to lotteries and promotional contests; and amending RCW 9.46.020 and 9.46.030.

Referred to Committee on Commerce & Labor.

**HB 220** by Representatives Unsoeld, Belcher, Hankins, B. Williams and Isaacson; by Secretary of State request

AN ACT Relating to employee incentives; amending RCW 41.60.015, 41.60.041, 41.60.050, 41.60.100, 41.60.110, and 41.60.120; and adding a new section to chapter 41.60 RCW.

Referred to Committee on State Government.

**HB 221** by Representatives Grimm and Tilly; by Governor, Lieutenant Governor, Secretary of State, Treasurer, State Auditor, Attorney General, Superintendent of Public Instruction, Commissioner of Public Lands and Insurance Commissioner request

AN ACT Relating to elected officials' salaries; amending RCW 43.03.010; and declaring an emergency.

Referred to Committee on Ways & Means.

**HB 222** by Representatives Wineberry, Niemi, Lewis, Locke, Allen, Smitherman, Addison, Wang, J. King, O'Brien, Belcher, Lux, Jacobsen, Cole, K. Wilson, Fisher, D. Nelson, Leonard, Appelwick, Unsoeld, Tilly, Holland and Valle

AN ACT Relating to legal holidays; and amending RCW 1.16.050.

Referred to Committee on State Government.

**HB 223** by Representatives Nealey, Baugher, Chandler, Rayburn, Doty, Bristow, Vekich, Ballard, Tilly, Madsen, C. Smith, Lewis, Bond and Isaacson

AN ACT Relating to hydraulic projects; amending RCW 75.20.100, 43.83B.320, 75.20.300, 76.09.050, 76.09.910, 79.90.150, 90.03.247, and 90.62.020; recodifying RCW 75.20.100; and creating a new section.

Referred to Committee on Agriculture.

**HB 224** by Representatives Sanders, Sommers, Isaacson, van Dyke, Miller, Nealey, Walker, P. King, Winsley, Baugher, Rayburn, Lewis, Leonard, Holland, Patrick and Taylor

AN ACT Relating to campaign financing disclosures; amending RCW 42.17.395; and prescribing penalties.

Referred to Committee on Constitution, Elections & Ethics.

HB 225 by Representatives Rust, Allen, Unsoeld, Holland, Lux and Valle

AN ACT Relating to operating waste facilities; adding a new section to chapter 70.95 RCW; and prescribing penalties.

Referred to Committee on Environmental Affairs.

HB 226 by Representatives Sommers, Braddock, Tilly, Holland, Brough, Ebersole, Grimm, Brekke, Winsley, B. Williams, Cole, Crane and Basich

AN ACT Relating to property taxes for construction of facilities for common schools and institutions of higher education; amending RCW 84.52.043; adding a new section to chapter 84.52 RCW; adding a new section to chapter 84.55 RCW; and creating a new section.

Referred to Committee on Ways & Means.

HB 227 by Representatives Lux, Ballard, Jacobsen, Winsley, Leonard, Baugher, Unsoeld, Patrick, Chandler, Rayburn, Braddock, Brough, Lewis, Miller, Van Luven, May, Taylor, D. Nelson and Schoon

AN ACT Relating to mandatory motor vehicle liability insurance; amending RCW 46.52.030, 46.61.020, 46.61.021, 46.63.020, and 48.22.030; creating a new chapter in Title 46 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Financial Institutions & Insurance.

HB 228 by Representatives Peery, Sutherland, Madsen, Nutley, J. King, Baugher, Schoon, Day, Sanders, West, Lewis, Fuhrman, Miller, G. Nelson, J. Williams, Lundquist, L. Smith, van Dyke, May, Bond, Valle, Fisch, Ballard, Taylor and Isaacson

AN ACT Relating to the registration of watercraft which are not used on waters subject to federal jurisdiction; and amending RCW 88.02.030.

Referred to Committee on Transportation.

HB 229 by Representatives D. Nelson, Fisher, Leonard, Miller, P. King, Sanders, Patrick, Fisch, Silver and Basich

AN ACT Relating to lobbying; amending RCW 42.17.020; and adding a new section to chapter 42.17 RCW.

Referred to Committee on Constitution, Elections & Ethics.

HB 230 by Representatives D. Nelson, Fisher, Leonard, Miller, P. King, Wang and Brekke

AN ACT Relating to public disclosure; and adding a new section to chapter 42.17 RCW.

Referred to Committee on Constitution, Elections & Ethics.

HB 231 by Representatives Ehlers, S. Wilson, J. King, Barrett, Allen, Grimm, Hine, McMullen, Miller, D. Nelson, Lewis, Unsoeld and Ballard

AN ACT Relating to elected officials' salaries; amending RCW 43.03.010; adding a new section to chapter 43.03 RCW; making an appropriation; providing an effective date; and declaring an emergency.

HB 232 by Representatives Ebersole, Brough, Nutley, Smitherman, Allen, Walker, Locke, Haugen, Belcher, Winsley, Wang, Crane, Lux and Unsoeld

AN ACT Relating to groundwater management; and adding new sections to chapter 90.44 RCW.

HB 233 by Representatives Brough, Locke, Sanders, Winsley, Lewis, Fuhrman, Addison, S. Wilson, Tilly, G. Nelson, Wang, Hastings, L. Smith, van Dyke, May, Bond, Silver, Taylor, D. Nelson and Isaacson; by Attorney General request

AN ACT Relating to compensation of crime victims; and amending RCW 7.68.020 and 7.68.070.

Referred to Committee on Judiciary.

HB 234 by Representatives Tilly, Walk, Baugher and Ballard

AN ACT Relating to temporary political signs; amending RCW 47.42.040; and adding a new section to chapter 47.42 RCW.

Referred to Committee on Transportation.

HB 235 by Representatives Taylor, Smitherman, Hastings, Sayan, Tilly, Zellinsky, B. Williams, Crane, D. Nelson, Day, Schoon, Ebersole, Lewis, West, Dellwo, Winsley, Addison, van Dyke, May, Bond, Padden, C. Smith, Silver, Long and Hankins

AN ACT Relating to excise taxation of prescription drugs and related devices; amending RCW 82.08.0281 and 82.12.0275; and providing an effective date.

Referred to Committee on Ways & Means.

HB 236 by Representatives Taylor, D. Nelson, Lewis, Sayan, Allen, Locke, Winsley, Haugen, Barrett, Day, Padden, West, Dellwo, Sanders, O'Brien, Lundquist, L. Smith, Doty, Bond, Fisch, Silver, Basich and Hankins

AN ACT Relating to parking for disabled persons; and amending RCW 46.16.381.

Referred to Committee on Transportation.

HB 237 by Representatives Haugen, Lewis, Rayburn, Smitherman, Isaacson, Nutley, Day and Zellinsky

AN ACT Relating to boundary review boards; and amending RCW 36.93.020.

Referred to Committee on Local Government.

HB 238 by Representative Sutherland

AN ACT Relating to the department of natural resources; and creating new sections.

Referred to Committee on Natural Resources.

HB 239 by Representatives Sutherland and Belcher

AN ACT Relating to the department of fisheries; and creating new sections.

Referred to Committee on Natural Resources.

HB 240 by Representatives Sutherland, P. King and Belcher

AN ACT Relating to the department of game; and creating new sections.

Referred to Committee on Natural Resources.

HB 241 by Representatives Sutherland and Fisher

AN ACT Relating to automotive repair shop registration; adding a new chapter to Title 18 RCW; prescribing penalties; making an appropriation; and providing an effective date.

Referred to Committee on Transportation.

HB 242 by Representatives Locke, Patrick, Sanders, Winsley, Lewis, Fuhrman, Addison, S. Wilson, Miller, Tilly, G. Nelson, R. King, Van Luven, May, Bond, Silver, Taylor, Long, D. Nelson, Isaacson, Unsoeld and Schoon; by Attorney General request

AN ACT Relating to rights of crime victims, survivors of crime victims, and witnesses of crime; amending RCW 7.69.010, 7.69.020, 7.69.030, 9.92.060, 9.94A.110, 9.94A.120, 9.94A.140, 9.95.030, 9.95.170, 9.95.210, 71.05.390, and 71.06.240; adding new sections to chapter 7.69 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Judiciary.

HB 243 by Representatives Hargrove, Lundquist and Haugen



AN ACT Relating to food fish and shellfish; and adding a new section to chapter 75.30 RCW.

Referred to Committee on Natural Resources.

HB 244 by Representatives O'Brien, P. King, Winsley, Hastings, May, Bond, Crane and Fisch

AN ACT Relating to state government, creating the decoration of the state medal of merit; and adding a new chapter to Title 1 RCW.

Referred to Committee on State Government.

HB 245 by Representatives Van Luven, Braddock, Patrick, Hine, Allen, Todd, Doty, Sayan, Hankins, Locke, B. Williams, Basich, May, P. King, Sanders, Winsley, Fuhrman, Miller, J. Williams, Hastings, Lundquist, L. Smith, van Dyke, Bond, C. Smith, Ballard, Silver, Long and Isaacson

AN ACT Relating to local sales and use taxes; and amending RCW 82.14.060.

Referred to Committee on Ways & Means.

HB 246 by Representatives Day, Vander Stoep, Brekke, Jacobsen, Lux, Unsoeld, D. Nelson, Armstrong, Dellwo, Niemi, Appelwick, Padden, Taylor, Lewis, Cole, Lundquist, May, Silver and Isaacson.

AN ACT Relating to nursing homes; amending RCW 74.42.580; and adding a new section to chapter 74.42 RCW.

Referred to Committee on Social & Health Services.

HB 247 by Representatives Walk, L. Smith, Fisch, Gallagher, Sutherland, Baugher, Fisher and Rayburn

AN ACT Relating to common carrier railroads; adding new sections to chapter 81.44 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Transportation.

HB 248 by Representatives Appelwick, West, Smitherman, Day, Dellwo, G. Nelson, C. Smith, Ballard, Addison and Hastings

AN ACT Relating to excise taxation of amusement devices; adding a new section to chapter 82.04 RCW; and providing an effective date.

Referred to Committee on Ways & Means.

HB 249 by Representatives Lux and Winsley

AN ACT Relating to savings banks; amending RCW 32.04.020, 32.04.030, 32.08.142, 32.08.225, 32.12.020, 32.12.050, 32.16.040, 32.16.050, 32.20.090, 32.20.220, 32.20.330, 32.24.030, 32.24.080, 32.32.025, 32.32.040, 32.32.115, 32.32.120, 32.32.150, 32.32.210, 32.32.215, 32.32.220, 32.32.230, 32.32.265, 32.32.490, 32.32.495, 32.32.500, and 32.32.505; adding a new section to chapter 32.08 RCW; adding new sections to chapter 32.32 RCW; adding new sections to chapter 32.34 RCW; repealing RCW 32.20.140, 32.20.150, 32.20.170, 32.20.180, and 32.20.190; and prescribing penalties.

Referred to Committee on Financial Institutions & Insurance.

HB 250 by Representatives Nutley, Brough and Miller

AN ACT Relating to water and sewer districts; and amending RCW 56.08.070 and 57.08.050.

Referred to Committee on Local Government.

HB 251 by Representatives Tilly, Padden, Brooks, Lewis, Braddock, Bristow, Miller, Holland, Todd, Bond and Kremen

AN ACT Relating to commercial ski areas; amending RCW 19.48.110; and creating a new section.

Referred to Committee on Judiciary.

HB 252 by Representative Fisch

AN ACT Relating to the Hood Canal bridge; amending RCW 47.60.326; adding a new section to chapter 47.60 RCW; repealing RCW 47.56.365; and declaring emergency.

Referred to Committee on Transportation.

HB 253 by Representatives Fisch and Hargrove

AN ACT Relating to annexation by code cities; and amending RCW 35A.14.310.

Referred to Committee on Local Government.

HB 254 by Representatives Grimm, Walk, Wang and Hargrove

AN ACT Relating to amusement rides; adding a new chapter to Title 67 RCW; and prescribing penalties.

Referred to Committee on Commerce & Labor.

HB 255 by Representatives Smitherman, Holland, Zellinsky, Kremen, Day and Hargrove

AN ACT Relating to internal services; and adding a new section to chapter 44.28 RCW.

Referred to Committee on State Government.

HB 256 by Representatives Smitherman, Kremen, Zellinsky, Holland and Hargrove

AN ACT Relating to budget and accounting; and amending RCW 1.16.020, 43.88.020, 43.88.030, 43.88.035, 43.88.060, 43.88.080, 43.88.090, 43.88.110, 43.88.120, 43.88.160, 43.88.505, 43.88.510, 43.88.525, 43.88.530, and 43.88.540.

Referred to Committee on Ways & Means.

HB 257 by Representatives P. King, Rayburn, Lewis, S. Wilson, R. King, Hastings, Van Luven, May, Crane, Zellinsky and Fisch

AN ACT Relating to child custody; amending RCW 26.09.240; and adding a new section to chapter 11.02 RCW.

Referred to Committee on Judiciary.

HB 258 by Representatives Allen, Ebersole, Brough and Hine

AN ACT Relating to open public meetings; and amending RCW 42.30.020.

Referred to Committee on Constitution, Elections & Ethics.

HB 259 by Representatives Allen, Sommers, Miller, Hine, Brough and West

AN ACT Relating to higher education; adding a new section to chapter 28B.20 RCW; adding a new section to chapter 28B.30 RCW; adding a new section to chapter 28B.35 RCW; adding a new section to chapter 28B.40 RCW; adding a new section to chapter 28B.50 RCW; adding a new chapter to Title 28B RCW; creating new sections; repealing RCW 28B.50.050, 28B.50.055, 28B.50.060, 28B.50.070, 28B.50.080, 28B.50.085, 28B.20.130, 28B.20.135, 28B.20.140, 28B.20.145, 28B.30.150, 28B.35.120, 28B.40.120, and 28B.50.140; and providing an effective date.

Referred to Committee on Higher Education.

HB 260 by Representatives Ebersole, Valle, Todd, P. King and Rayburn; by Superintendent of Public Instruction request

AN ACT Relating to the school administrators' academy; adding new sections to chapter 28A.03 RCW; and making an appropriation.

Referred to Committee on Education.

HB 261 by Representatives Ebersole, Betzoff, Peery and P. King; by Superintendent of Public Instruction request

AN ACT Relating to school plant facilities; amending RCW 28A.47.100 and 28A.47.830; and repealing RCW 28A.47.055, 28A.47.070, 28A.47.760, 28A.47.762, 28A.47.764, 28A.47.766, 28A.47.768, 28A.47.770, 28A.47.772, and 28A.47.774.

Referred to Committee on Education.

HB 262 by Representatives Ebersole, Betzoff, Peery and P. King; by Superintendent of Public Instruction request

AN ACT Relating to obsolete provisions in Title 28A RCW; amending RCW 28A.02.080, 28A.03.310, 28A.04.134, 28A.13.010, 28A.13.070, 28A.21.031, 28A.21.071, 28A.21.120, 28A.21-360, 28A.30.040, 28A.44.170, 28A.58.246, 28A.58.772, 28A.58.820, 28A.67.074, and 28B.15.543; repealing RCW 28A.03.400, 28A.03.401, 28A.03.402, 28A.03.403, 28A.03.405, 28A.03.407, 28A.03.409, 28A.13.065, 28A.41.250, 28A.41.270, 28A.41.280, 28A.41.290, 28A.41.412, 28A.58-248, 28A.58.832, and 28A.67.050; and providing an effective date.

Referred to Committee on Education.

HB 263 by Representatives Wang, Cole, Todd, P. King, Leonard and R. King; by Superintendent of Public Instruction request

AN ACT Relating to preschool, day school care, and before-and-after-school care by school districts; amending RCW 28A.34.010; adding new sections to chapter 28A.34 RCW; repealing RCW 28A.34.020, 28A.34.040, and 28A.34.050; prescribing penalties; making an appropriation; providing an effective date; and declaring an emergency.

Referred to Committee on Education.

HB 264 by Representatives Ebersole, Betrozoff, Rayburn, Wang, Valle, Todd, Holland, P. King, Winsley, Cole and Long; by Superintendent of Public Instruction request

AN ACT Relating to teachers; adding a new section to chapter 28A.67 RCW; and making an appropriation.

Referred to Committee on Education.

HB 265 by Representatives Appelwick, Holland, Wang, Miller, Cole, J. Williams and May; by Superintendent of Public Instruction request

AN ACT Relating to minimum base year levy percentages for school districts; reenacting and amending RCW 84.52.0531; and declaring an emergency.

Referred to Committee on Education.

HB 266 by Representatives Sanders, Haugen, Isaacson, Leonard, J. Williams, Lundquist, Winsley, Van Luven, May and Long.

AN ACT Relating to fishing licenses; and amending RCW 77.32.230.

Referred to Committee on Natural Resources.

HJR 6 by Representatives Ehlers, S. Wilson, J. King, Ballard, Hine, G. Nelson, Belcher, Barrett, Grimm, Crane, Armstrong, Allen, Gallagher, Hankins, Leonard, May, D. Nelson, Holland, O'Brien, Winsley, Lewis, Silver, Day, B. Williams, Miller and Isaacson

Providing for the organization of state government.

Referred to Committee on State Government.

SB 3072 by Senators Talmadge, Newhouse, Halsan and Moore

Making technical corrections and reenacting fiduciary provisions from the Washington trust act of 1984.

Referred to Committee on Judiciary.

SB 3073 by Senators Talmadge, Newhouse, Halsan and Moore

Making technical corrections and reenacting will provisions from the Washington trust act of 1984.

Referred to Committee on Judiciary.

SB 3074 by Senators Halsan, Newhouse, Talmadge and Moore

Reenacting and changing partnership provisions from the Washington trust act of 1984.

Referred to Committee on Judiciary.

SB 3075 by Senators Halsan, Newhouse, Talmadge and Moore

Reenacting declaratory judgment provisions from the Washington trust act of 1984.

Referred to Committee on Judiciary.

#### MOTION

On motion of Mr. J. King, the bills and the resolution listed on today's agenda under the fourth order of business were considered first reading and referred to the committees designated with the exception of HOUSE BILL NO. 231 and HOUSE BILL 232, which were held on the first reading calendar for the next working day.

#### REPORTS OF STANDING COMMITTEES

January 23, 1985

HB 20 Prime Sponsor, Representative Vander Stoep: Recomputing school districts maintenance and operation levies in counties with classified or designated forest land. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Brekke, Bristow, Hastings, Hine, Holland, J. King, Locke, Long, Madsen, G. Nelson, Niemi, Rust, Sanders, Sayan, Silver, L. Smith, Smitherman, Sommers, Taylor, Tilly, Vander Stoep and B. Williams.

Absent: Representatives Appelwick, Brekke, Bristow and Locke.

Passed to Committee on Rules for second reading.

January 24, 1985

HB 21 Prime Sponsor, Representative Vekich: Revising provisions relating to horticultural nursery dealers. Reported by Committee on Agriculture

MAJORITY recommendation: Do Pass with the following amendment:  
On page 3, line 12 after "sales" insert "that do not exceed one hundred dollars annually"

Signed by Representatives Vekich, Chair; Baugher, Vice Chair; Ballard, Bristow, Brooks, Chandler, Doty, Kremen, Madsen, Nealey and Peery

Passed to Committee on Rules for second reading.

January 24, 1985

HB 34 Prime Sponsor, Representative Smitherman: Modifying the regulation of water heater temperatures. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do Pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Betrozoff, Chandler, Fisch, Fisher, R. King, O'Brien, Patrick, Sayan, C. Smith, Walker and J. Williams.

Absent: Representative Ebersole.

Passed to Committee on Rules for second reading.

January 24, 1985

HB 37 Prime Sponsor, Representative D. Nelson: Authorizing above-ground tanks for recycling used oil. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do Pass with the following amendments:  
On page 1, line 4 after "chapter" strike "70.93" and insert "70.95"  
On page 1, line 2 of the title after "chapter" strike "70.93" and insert "70.95"

Signed by Representatives Rust, Chair; Unsoeld, Vice Chair; Allen, Barnes, Brekke, Brough, Isaacson, Jacobsen, R. King, Lux, May, Nutley and Valle.

Absent: Representatives Bond and Lewis.

Passed to Committee on Rules for second reading.

January 23, 1985

HB 107 Prime Sponsor, Representative Crane: Expanding and clarifying the crime of interference with official proceedings. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, P. King, Lewis, Locke, G. Nelson, Niemi, Padden, Schmidt, Schoon, Tilly, Van Luven, Wang and West.

Passed to Committee on Rules for second reading.

January 23, 1985

ESB 3065 Prime Sponsor, Senator Bottiger: Revising provisions relating to subsistence and lodging for members of the legislature. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Brekke, Hine, Holland, J. King, Locke, Long, Madsen, G. Nelson, Niemi, Rust, Sayan, Silver, Smitherman, Sommers, Taylor and Tilly.

MINORITY recommendation: Do not pass. Signed by Representatives Hastings, Sanders and L. Smith.

Voting nay: Representatives Bristow, Hastings, Sanders, L. Smith, Vander Stoep and B. Williams.

Passed to Committee on Rules for second reading.

#### MOTIONS

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

On motion of Mr. J. King, HOUSE BILL NO. 124 was rereferred from Committee on Judiciary to Committee on State Government; HOUSE BILL NO. 134 was rereferred from Committee on Judiciary to Committee on Energy & Utilities; HOUSE BILL NO. 153 was rereferred from Committee on Social & Health Services to Committee on Judiciary; HOUSE BILL NO. 155 was rereferred from Committee on Commerce & Labor to Committee on Judiciary; HOUSE BILL NO. 172 was rereferred from Committee on Commerce & Labor to Committee on Judiciary; HOUSE BILL NO. 183 was rereferred from Committee on Ways & Means to Committee on Social & Health Services; HOUSE BILL NO. 202 was rereferred from Committee on Judiciary to Committee on Social & Health Services; and HOUSE BILL NO. 216 and HOUSE BILL NO. 241 were rereferred from Committee on Commerce & Labor to Committee on Transportation.

#### STATEMENT FOR THE JOURNAL

I was not in attendance on Wednesday, January 23, 1985 because my daughter was recovering from an automobile accident. I would have voted 'No' on the motion to expel Representative van Dyke if I had been present.

LINDA SMITH, 18th District.

#### MOTION

On motion of Mr. J. King, the House adjourned until 11:00 a.m., Monday, January 28, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk

## FIFTEENTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Monday, January 28, 1985

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives P. King, Lundquist, McMullen, Walker, K. Wilson and Wineberry, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Cheri Countryman and Martha Dubick. Prayer was offered by Reverend Ray Morrison of the Church of the Nazarene in Olympia.

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

## MESSAGE FROM THE SENATE

January 24, 1985

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 3076,  
SENATE BILL NO. 3077,  
SENATE BILL NO. 3078,  
SENATE BILL NO. 3079,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## SELECT COMMITTEE APPOINTMENT

The Speaker announced that Representative Miller would replace Representative Betzoff on the Select Committee on the Clean-up and Management of Puget Sound.

## INTRODUCTIONS AND FIRST READING

HB 267 by Representatives Tanner, B. Williams, Brekke, Lewis and Day; by Department of Corrections request

AN ACT Relating to corrections; amending RCW 72.01.050, 72.12.160, 9.94.049, and 72.65.010; and repealing RCW 72.12.050.

Referred to Committee on Social & Health Services.

HB 268 by Representatives Tanner, B. Williams, Brekke, Lewis and Ebersole; by Department of Corrections request

AN ACT Relating to institutional industries; and amending RCW 72.09.100.

Referred to Committee on Social & Health Services.

HB 269 by Representatives Tanner, Lewis and Brekke; by Department of Corrections request

AN ACT Relating to special adult supervision programs; repealing RCW 9.95A.010, 9.95A.020, 9.95A.030, 9.95A.040, 9.95A.050, 9.95A.060, 9.95A.070, 9.95A.080, 9.95A.090, 9.95A.900, and 9.95A.905.

Referred to Committee on Social & Health Services.

HB 270 by Representatives Locke, Brooks, Lux, Allen, Fisch, Niemi, Wang, Appelwick, Brough, Belcher and D. Nelson

AN ACT Relating to acupuncture; amending RCW 4.24.240, 4.24.290, 7.70.020, and 18.130.040; reenacting and amending RCW 18.120.020; adding a new chapter to Title 18 RCW; and prescribing penalties.

Referred to Committee on Social & Health Services.

HB 271 by Representatives Patrick, Walk, Betrozoff, Wineberry, Hankins, Valle, Van Luven, Gallagher, J. Williams, Prince, Baugher, Thomas, Kremen, Schmidt, McMullen, Bond, Zellinsky, Sutherland, S. Wilson, Winsley, May, van Dyke, Silver, Fisher and Day

AN ACT Relating to assistance vans; and amending RCW 47.52.120.

Referred to Committee on Transportation.

HB 272 by Representatives Scott, Niemi, Padden, Tilly, Dellwo, Rayburn, Armstrong, Fisch, Tanner, Winsley, Taylor, Van Luven, Silver and Day

AN ACT Relating to admissibility of children's statements; and amending RCW 9A.44.120.

Referred to Committee on Judiciary.

HB 273 by Representatives Smitherman, Zellinsky, Miller, J. Williams, R. King, Betrozoff, Kremen, Hastings, S. Wilson, Hankins, Allen, Scott, Winsley, Doty, May, Dobbs, Haugen, Long and Isaacson

AN ACT Relating to watercraft; amending RCW 84.36.080, 88.02.040, and 88.02.050; adding new sections to chapter 88.02 RCW; creating a new section; and repealing RCW 82.49.010, 82.49.020, 82.49.030, 82.49.040, 82.49.050, 82.49.060, 82.49.070, 84.08.200, and 88.02.025.

Referred to Committee on Transportation.

HB 274 by Representatives Sanders, Leonard, J. Williams, Cole, Fuhrman, Dobbs, Lundquist, Sutherland and Isaacson

AN ACT Relating to conservation licenses; and amending RCW 77.32.380.

Referred to Committee on Natural Resources.

HB 275 by Representatives West, Isaacson, Sanders and Ballard

AN ACT Relating to nonpayment of rent by public assistance recipients; adding a new section to chapter 74.04 RCW; and creating a new section.

Referred to Committee on Social & Health Services.

HB 276 by Representatives West, Haugen, Lewis, Armstrong, Doty, Patrick, Smitherman and Wang

AN ACT Relating to cemeteries; and amending RCW 68.12.040.

Referred to Committee on Local Government.

HB 277 by Representatives Armstrong and Todd

An ACT Relating to real estate brokers and salesmen; amending RCW 18.85.130; and adding a new section to chapter 18.85 RCW.

Referred to Committee on Commerce & Labor.

HB 278 by Representatives Ballard, Bristow, Vekich, Brooks, Todd, Madsen, Chandler, Nealey, Fuhrman, Hastings, Isaacson, Doty, Long, Baugher and C. Smith

AN ACT Relating to diffuse knapweed; creating new sections; making appropriations; and declaring an emergency.

Referred to Committee on Agriculture.

HB 279 by Representatives Haugen, S. Wilson, Ballard, Fisch, Isaacson, Leonard and Day

AN ACT Relating to public hospital districts; and adding a new section to chapter 70.44 RCW.

Referred to Committee on Local Government.

HB 280 by Representatives Wang, Patrick, R. King, Lux, Isaacson, Winsley, Fisher and Day

AN ACT Relating to time limitations on filing industrial insurance claims; and adding a new section to chapter 51.28 RCW.

Referred to Committee on Commerce & Labor.

HB 281 by Representatives Jacobsen, Long, Unsoeld, Nealey, Todd, Gallagher, McMullen, Sutherland, Barnes, Miller, Ballard, D. Nelson, Madsen, Bond and Hine

AN ACT Relating to regulation of radio communications service companies; amending RCW 80.04.010; and adding a new chapter to Title 80 RCW.

Referred to Committee on Energy & Utilities.

HB 282 by Representatives Lux, Winsley, West, P. King, Dellwo, Ballard, Crane, Barrett, Wang, Tanner, Zellinsky, Silver, Day, Holland, J. King, Sommers, Schoon and Braddock

AN ACT Relating to banks and bank holding companies; amending RCW 30.04.230; adding a new section to chapter 30.04 RCW; creating a new section; and providing an effective date.

Referred to Committee on Financial Institutions & Insurance.

HB 283 by Representatives Wang, Patrick, Fisher, Sommers and Cole; by State Board for Community College Education request

AN ACT Relating to community college negotiations by academic personnel; amending RCW 28B.52.010, 28B.52.030, 28B.52.035, 28B.52.060, 28B.52.080, and 28B.52.200; and adding new sections to chapter 28B.52 RCW.

Referred to Committee on Commerce & Labor.

HB 284 by Representatives Belcher, Cole, Jacobsen, Leonard, McMullen, K. Wilson and D. Nelson

AN ACT Relating to forest practices; amending RCW 76.09.030, 76.09.060, and 76.09.040; adding new sections to chapter 76.09 RCW; creating a new section; repealing RCW 76.09.200; and making an appropriation.

Referred to Committee on Natural Resources.

HB 285 by Representatives Valle, Haugen and Lux

AN ACT Relating to incorporation of first class cities; and amending RCW 35.03.020.

Referred to Committee on Local Government.

HB 286 by Representatives Wineberry, Kremen, Madsen, Basich, Prince, Unsoeld, Belcher, Rayburn, K. Wilson, McMullen, R. King, Allen, Grimm, Silver, Hastings, Brekke, Miller, Hine, Locke, Long, Jacobsen, D. Nelson, Isaacson, Fisch, Tanner, Taylor, Lux, Valle and Day

AN ACT Relating to the periodic payment of tuition and fees at institutions of higher education; amending RCW 28B.15.031; adding a new section to chapter 28B.15 RCW; and creating a new section.

Referred to Committee on Higher Education.

HB 287 by Representatives Jacobsen, Basich, R. King, Belcher, Unsoeld, Prince, Miller, Madsen, Hastings, K. Wilson, McMullen, Brekke, Appelwick, Hine, Long, D. Nelson, Fisch, Valle, Tanner, Taylor, May, Dellwo, Rust, Lux, Wang and Day

AN ACT Relating to higher education tuition and fees; and amending RCW 28B.15.100.

Referred to Committee on Higher Education.

HB 288 by Representatives K. Wilson, Basich, R. King, McMullen, Allen, Brekke, Miller, Appelwick, G. Nelson, Hine, Locke, D. Nelson, Tanner and Wang

AN ACT Relating to tuition and fee waivers; and amending RCW 28B.15.740.

Referred to Committee on Higher Education.



HB 289 by Representatives Sommers, Miller, Allen, Madsen, Long, Basich, Jacobsen, McMullen, D. Nelson, Niemi, Appelwick, Hine, Locke and Tanner

AN ACT Relating to higher education tuition and fees; and adding a new section to chapter 28B.15 RCW.

Referred to Committee on Higher Education.

HB 290 by Representatives Jacobsen, R. King, Rayburn, Madsen, Prince, Unsoeld, Basich, Belcher, Allen, McMullen, Grimm, Silver, Miller, Appelwick, G. Nelson, Hine, Locke, Long, D. Nelson, Leonard, Tanner, Taylor, Lux, Wang and Day

AN ACT Relating to financial aid; and amending RCW 28B.15.065.

Referred to Committee on Higher Education.

HB 291 by Representatives Sommers, Allen, Silver, Brekke, Miller, Niemi, Appelwick, Hine, Locke, Braddock, Long, Jacobsen, D. Nelson, Tanner and Wang

AN ACT Relating to higher education tuition and fees; and amending RCW 28B.15.067.

Referred to Committee on Higher Education.

HB 292 by Representatives Jacobsen, R. King, Madsen, Unsoeld, Basich, K. Wilson, McMullen, Appelwick, Hine, D. Nelson and Wang

AN ACT Relating to tuition and fees at institutions of higher education; amending RCW 28B.15.202, 28B.15.402, and 28B.15.502; providing an effective date; and declaring an emergency.

Referred to Committee on Higher Education.

HB 293 by Representatives Unsoeld, Sommers, Basich, Allen, Belcher, Madsen, Rayburn, Miller, K. Wilson, Niemi, McMullen, Grimm, G. Nelson, Hine, Locke, Braddock, Long, Vander Stoep and Winsley

AN ACT Relating to governing boards at the institutions of higher education; and amending RCW 28B.35.100 and 28B.40.100.

Referred to Committee on Higher Education.

HB 294 by Representatives Sanders, Haugen, J. Williams, Leonard, Day, Isaacson, Dellwo, Van Loven, Vekich, van Dyke, Sutherland, Lundquist, Basich and Baugher

AN ACT Relating to wildlife; amending RCW 77.12.265; and repealing RCW 77.12.260, 77.12.270, 77.12.280, 77.12.290, and 77.12.300.

Referred to Committee on Natural Resources.

HB 295 by Representatives Smitherman, Ballard, Crane, O'Brien, Hine, Barrett, Day, Wang, P. King, Zellinsky, Winsley, Madsen, Chandler, Lewis, Gallagher, Holland, Sutherland, Hastings, Fisch, Sayan, Patrick, Jacobsen, Miller, Lux, J. King, Appelwick, Isaacson, Prince, Todd, Taylor, Vekich, Brough, McMullen, Nutley, Haugen, Leonard, Cole, D. Nelson, Brekke, Fisher, Basich, Schmidt, Brooks, Tilly, Kremen, S. Wilson, Long and Baugher

AN ACT Relating to motorcycle dealers' franchises; amending RCW 46.70.101 and 46.70.180; adding a new chapter to Title 46 RCW; and prescribing penalties.

Referred to Committee on Commerce & Labor.

HB 296 by Representatives Jacobsen, Appelwick, D. Nelson, Wineberry, Niemi, Armstrong, Locke, Sommers, Lux and O'Brien

AN ACT Relating to school districts; adding a new section to chapter 28A.57 RCW; and creating a new section.

Referred to Committee on Education.

HB 297 by Representatives Jacobsen, Appelwick, Niemi, Vekich, Prince, Ballard, Todd, Unsoeld, Locke, D. Nelson, Baugher, Rayburn, Isaacson, Fisher and Lux

AN ACT Relating to organic food products; and adding a new chapter to Title 15 RCW.

Referred to Committee on Agriculture.

HB 298 by Representatives Allen, Belcher, Winsley, Fisher and Smitherman

AN ACT Relating to higher education residency requirements; and amending RCW 28B.15.012 and 28B.15.013.

Referred to Committee on Higher Education.

HB 299 by Representatives Gallagher and Lux

AN ACT Relating to industrial insurance; amending RCW 49.17.030, 51.04.110, 51.08.173, 51.12.070, 51.12.100, 51.12.120, 51.16.060, 51.16.140, 51.41.100, and 51.44.040; creating new sections; and repealing RCW 51.14.010, 51.14.020, 51.14.030, 51.14.040, 51.14.050, 51.14.060, 51.14.070, 51.14.080, 51.14.090, 51.14.100, 51.14.110, 51.14.150, 51.14.160, 28A.21.255, and 28A.58.410.

Referred to Committee on Commerce & Labor.

HB 300 by Representatives Gallagher, Madsen, O'Brien, Basich, Fisch, Taylor, Baugher and Schoon

AN ACT Relating to fishing licenses for disabled veterans; and amending RCW 75.25-110 and 77.32.230.

Referred to Committee on Natural Resources.

HB 301 by Representatives Gallagher, Madsen and Isaacson

AN ACT Relating to disabled persons; adding a new section to chapter 70.84 RCW; and prescribing penalties.

Referred to Committee on Transportation.

HB 302 by Representatives Gallagher and Lux

AN ACT Relating to self-insurers; and adding a new section to chapter 51.14 RCW.

Referred to Committee on Commerce & Labor.

HB 303 by Representatives Gallagher and O'Brien; by Utilities and Transportation Commission request

AN ACT Relating to public utilities regulations; and amending RCW 80.04.010.

Referred to Committee on Energy & Utilities.

HB 304 by Representatives R. King, Isaacson, Zellinsky, Smitherman, Lewis, Sutherland, Miller, Brough, Long, Allen, Barnes, P. King, Van Luven, Nealey, Tanner and Sanders

AN ACT Relating to utility liens; and amending RCW 35.21.290.

Referred to Committee on Energy & Utilities.

HB 305 by Representatives Sanders, Sommers, Tilly, G. Nelson, B. Williams, Addison, Bond, Locke, L. Smith, Taylor, Hastings, Patrick, S. Wilson, Barnes, Isaacson, Padden, Winsley, May, Chandler, van Dyke, Long and Brough

AN ACT Relating to retirement from public service; amending RCW 41.26.080 and 41.40.361.

Referred to Committee on Ways & Means.

HB 306 by Representatives Sanders, Patrick, Bond, Hastings, van Dyke, Padden, Isaacson, Lundquist, Fuhrman, Ballard, Addison, Van Luven, J. Williams, May, Holland, Dobbs, Brooks, West, B. Williams, Hankins, Chandler and Silver

AN ACT Relating to the reduction of excise taxes; amending RCW 82.04.255, 82.04-290, 82.02.030, and 82.04.2904; reenacting and amending RCW 82.08.020 and 82.04.2901;

repealing RCW 82.04.2902 and 82.04.2903; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 307 by Representatives Winsley, Gallagher and Fisher

AN ACT Relating to assault; adding a new chapter to Title 67 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

HB 308 by Representatives Winsley, Ebersole, Walker and Day

AN ACT Relating to municipal incorporation proceedings; and amending RCW 35.02.080, 35.03.030, 35A.03.080, and 35A.04.090.

Referred to Committee on Local Government.

HB 309 by Representatives Vekich, Nealey, Sayan, Chandler, McMullen, Ballard, Baugher, Basich and C. Smith

AN ACT Relating to aquatic farming; amending RCW 15.65.020, 15.66.010, 43.23.030, 46.16.090, 75.08.080, 75.24.080, 75.24.110, 75.28.125, 75.28.010, 75.28.280, 75.28.300, 77.08.020, 77.12.570, 77.12.590, 77.12.600, 77.32.010, 82.04.100, 82.04.330, 82.27.030, and 84.34.020; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; adding a new chapter to Title 16 RCW; creating a new section; and repealing RCW 75.28-.265 and 75.28.282.

Referred to Committee on Agriculture.

HB 310 by Representatives Fisch, Dellwo, Day, Gallagher, Wang, Patrick and Lewis

AN ACT Relating to gambling for coin-operated music; and amending RCW 9.46.020.

Referred to Committee on Commerce & Labor.

HB 311 by Representatives Ebersole, Chandler, O'Brien, Padden, Smitherman, Long, Basich, J. Williams and Day

AN ACT Relating to the state board of education; and amending RCW 28A.04.010, 28A.04.020, 28A.04.050, and 28A.04.090.

Referred to Committee on Education.

HB 312 by Representatives O'Brien, P. King, Long, Smitherman, Holland, Wang, L. Smith and Day

AN ACT Relating to private schools; and amending RCW 28A.02.201.

Referred to Committee on Education.

HB 313 by Representatives Fisher, Barnes, Fisch and Wang; by Public Disclosure Commission request

AN ACT Relating to the public disclosure law; amending RCW 42.17.020, 42.17.030, 42.17.050, 42.17.060, 42.17.070, 42.17.100, 42.17.125, 42.17.155, 42.17.200, 42.17.370, and 42.17.395; and prescribing penalties.

Referred to Committee on Constitution, Elections & Ethics.

HB 314 by Representative Grimm

AN ACT Relating to state agencies; amending section 2, chapter 76, Laws of 1983 1st ex. sess. as amended by section 101, chapter 285, Laws of 1984 (uncodified); amending section 3, chapter 76, Laws of 1983 1st ex. sess. as amended by section 102, chapter 285, Laws of 1984 (uncodified); amending section 15, chapter 76, Laws of 1983 1st ex. sess. as amended by section 114, chapter 285, Laws of 1984 (uncodified); amending section 24, chapter 76, Laws of 1983 1st ex. sess. as amended by section 118, chapter 285, Laws of 1984 (uncodified); amending section 27, chapter 76, Laws of 1983 1st ex. sess. as amended by section 119, chapter 285, Laws of 1984 (uncodified); amending section 36, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 37, chapter 76, Laws of 1983 1st ex. sess. as amended by section 126, chapter 285, Laws of 1984 (uncodified); amending section 65, chapter 76, Laws of 1983 1st ex. sess. as amended by section 214, chapter 285, Laws of 1984 (uncodified); amending section 71, chapter 76, Laws of 1983 1st ex. sess. as amended by section 219, chapter 285, Laws of 1984 285, Laws of 1984 (uncodified); amending section 65, chapter 76, Laws of 1983 1st ex. sess. as amended by section 214, chapter 285, Laws of 1984 (uncodified); amending section 71, chapter 76, Laws of 1983 1st

ex. sess. as amended by section 219, chapter 285, Laws of 1984 (uncodified); amending section 89, chapter 76, Laws of 1983 1st ex. sess. as amended by section 307, chapter 285, Laws of 1984 (uncodified); amending section 86, chapter 76, Laws of 1983 1st ex. sess. as amended by section 305, chapter 285, Laws of 1984 (uncodified); amending section 310, chapter 285, Laws of 1984 (uncodified); amending section 94, chapter 76, Laws of 1983 1st ex. sess. as amended by section 402, chapter 285, Laws of 1984 (uncodified); amending section 18, chapter 53, Laws of 1983 1st ex. sess. (uncodified); amending section 97, chapter 76, Laws of 1983 1st ex. sess. as amended by section 502, chapter 285, Laws of 1984 (uncodified); amending section 103, chapter 76, Laws of 1983 1st ex. sess. as amended by section 505, chapter 285, Laws of 1984 (uncodified); amending section 104, chapter 76, Laws of 1983 1st ex. sess. as amended by section 506, chapter 285, Laws of 1984 (uncodified); amending section 126, chapter 76, Laws of 1983 1st ex. sess. as amended by section 524, chapter 285, Laws of 1984 (uncodified); amending section 134, chapter 76, Laws of 1983 1st ex. sess. as amended by section 601, chapter 285, Laws of 1984 (uncodified); amending section 141, chapter 76, Laws of 1983 1st ex. sess. (uncodified); creating new sections; repealing section 51, chapter 76, Laws of 1983 1st ex. sess., section 201, chapter 285, Laws of 1984 (uncodified); repealing section 53, chapter 76, Laws of 1983 1st ex. sess., section 203, chapter 285, Laws of 1984 (uncodified); repealing section 54, chapter 76, Laws of 1983 1st ex. sess., section 204, chapter 285, Laws of 1984 (uncodified); repealing section 55, chapter 76, Laws of 1983 1st ex. sess., section 205, chapter 285, Laws of 1984 (uncodified); repealing section 56, chapter 76, Laws of 1983 1st ex. sess., section 206, chapter 285, Laws of 1984 (uncodified); repealing section 57, chapter 76, Laws of 1983 1st ex. sess., section 207, chapter 285, Laws of 1984 (uncodified); repealing section 58, chapter 76, Laws of 1983 1st ex. sess. (uncodified); repealing section 59, chapter 76, Laws of 1983 1st ex. sess., section 208, chapter 285, Laws of 1984 (uncodified); repealing section 60, chapter 76, Laws of 1983 1st ex. sess., section 209, chapter 285, Laws of 1984 (uncodified); repealing section 61, chapter 76, Laws of 1983 1st ex. sess., section 210, chapter 285, Laws of 1984 (uncodified); repealing section 62, chapter 76, Laws of 1983 1st ex. sess., section 211, chapter 285, Laws of 1984 (uncodified); repealing section 63, chapter 76, Laws of 1983 1st ex. sess., section 212, chapter 285, Laws of 1984 (uncodified); repealing section 64, chapter 76, Laws of 1983 1st ex. sess., section 213, chapter 285, Laws of 1984 (uncodified); and declaring an emergency.

Referred to Committee on Ways & Means.

HJM 2 by Representatives Addison and Niemi

Requesting the President and Congress to effect the protection of Orthodox Christians.

Referred to Committee on Rules.

SB 3076 by Senators Talmadge, Newhouse, Halsan and Moore

Establishing a two-dollar filing fee for the nonjudicial resolution of certain trust provisions.

Referred to Committee on Judiciary.

SB 3077 by Senators Halsan, Newhouse, Talmadge and Moore

Reenacting and changing joint tenancy provisions from the Washington trust act of 1984.

Referred to Committee on Judiciary.

SB 3078 by Senators Talmadge, Newhouse, Halsan and Moore

Reenacting statute of limitations provisions from the Washington trust act of 1984.

Referred to Committee on Judiciary.

SB 3079 by Senators Talmadge, Newhouse, Halsan and Moore

Making technical corrections and reenacting procedural provisions from the Washington trust act of 1984.

Referred to Committee on Judiciary.

MOTIONS

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

On motion of Mr. J. King, HOUSE BILL NO. 231 was referred to Committee on Ways & Means.

REPORTS OF STANDING COMMITTEES

January 23, 1985

HB 50 Prime Sponsor, Representative Fisher: Making certain reimbursements for social security assistance retroactive. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, P. King, Locke, Niemi, Padden, Schmidt, Schoon, Tilly, Van Luven, Wang and West.

Voting nay: Representatives Lewis and G. Nelson.

Passed to Committee on Rules for second reading.

January 24, 1985

HB 54 Prime Sponsor, Representative Armstrong: Defining the tort liability of operators of radioactive waste repositories. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 29 after "operating," strike "and" and insert "or"

On page 1, beginning on line 8 strike all of subsections (1) and (2) and renumber the remaining subsections consecutively.

On page 1, line 25 after "of" strike "high-level"

On page 2, line 1 after "repositories" strike "by congress" and insert "or transporting radioactive waste"

On page 2, line 20 after "repository" insert ", or in transporting radioactive waste."

On page 2, beginning on line 3 strike all of subsection (5) and insert "(3) 'radioactive waste' includes, but is not limited to, high-level radioactive waste, low-level radioactive waste, transuranic radioactive waste, spent nuclear fuel, and radioactive defense waste. It does not include de minimus radioactive waste."

On page 2, line 7 after "of" strike "high-level"

Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong, Barnes, Bond, Gallagher, Isaacson, Jacobsen, Long, Madsen, Miller, Nealey, Sutherland, Unsoeld and Van Luven.

Passed to Committee on Rules for second reading.

January 24, 1985

HB 55 Prime Sponsor, Representative D. Nelson: Providing for a study of the transportation of radioactive materials. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 11 after "accidents." insert "Additionally, the study shall examine response to transportation accidents involving radioactive materials. Responsible organizations shall be identified together with their response capabilities, and command authority prioritized from the moment of the accident until radioactive materials are removed from the scene of the accident. Recommendations for improvement, where indicated, shall be made."

On page 1, line 19 after "act" strike the remainder of the section and insert a period."

Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong, Barnes, Bond, Gallagher, Isaacson, Jacobsen, Long, Madsen, Miller, Nealey, Sutherland, Unsoeld and Van Luven.

Absent: Representative Van Luven.

Passed to Committee on Rules for second reading.

## SECOND READING

HOUSE JOINT MEMORIAL NO. 1, by Representatives Walk, Schmidt, Patrick, Lundquist, Schoon and Gallagher

Requesting Congress to allow release of Interstate Highway construction funds.

The memorial was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the memorial was placed on final passage.

Representatives Walk and Schmidt spoke in favor of passage of the memorial.

## ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 1, and the memorial passed the House by the following vote: Yeas, 92; excused, 6.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Baillard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brække, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King R, Kremen, Leonard, Lewis, Locke, Long, Lux, Madsen, May, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 92.

Excused: Representatives King P, Lundquist, McMullen, Walker, Wilson K, Wineberry - 6.

House Joint Memorial No. 1, having received the constitutional majority, was declared passed.

## MOTION

On motion of Mr. Appelwick, House Joint Memorial No. 1 was ordered immediately transmitted to the Senate.

HOUSE BILL NO. 20, by Representatives Vander Stoep, Sayan and Dobbs

Recomputing school districts maintenance and operation levies in counties with classified or designated forest land.

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

HOUSE BILL NO. 21, by Representatives Vekich, C. Smith, Rayburn, Chandler, Tilly and Sayan

Revising provisions relating to horticultural nursery dealers.

The bill was read the second time. Committee on Agriculture recommendation: Majority, do pass as amended. (For amendment, see Journal, 12th Day, January 25, 1985.)

Mr. Vekich moved adoption of the committee amendment. Representatives Vekich and Nealey spoke in favor of the amendment, and it was adopted.

House Bill No. 21 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 34, by Representatives Smitherman, Lewis, Wang, Zellinsky, Thomas, Winsley, Ebersole, Tanner, Kremen, Hargrove, Haugen and Isaacson

Modifying the regulation of water heater temperatures.

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

HOUSE BILL NO. 37, by Representatives D. Nelson, Brough, Rust, Allen, Unsoeld, R. King, P. King, Fisch, McMullen and Lux

Authorizing above-ground tanks for recycling used oil.

The bill was read the second time. Committee on Environmental Affairs recommendation: Majority, do pass as amended. (For amendments, see Journal, 12th Day, January 25, 1985.)

On motion of Ms. Rust, the committee amendments were adopted.

House Bill No. 37 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 107, by Representatives Crane, P. King, Armstrong, Dellwo, Sutherland, Zellinsky, Barnes, Locke, West and Padden

Expanding and clarifying the crime of interference with official proceedings.

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

ENGROSSED SENATE BILL NO. 3065, by Senators Bottiger and Hayner

Revising provisions relating to subsistence and lodging for members of the legislature.

The bill was read the second time.

Mr. Sanders moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

\*Sec. 1. Section 1, chapter 173, Laws of 1941 as last amended by section 2, chapter 255, Laws of 1979 ex. sess. and RCW 44.04.080 are each amended to read as follows:

Members of the legislature, including the president of the senate, who reside outside Thurston county shall be paid not to exceed forty-four dollars per day in lieu of subsistence and lodging during and while attending any legislative session.

Sec. 2. Section 1, chapter 10, Laws of 1959 ex. sess. as last amended by section 3, chapter 255, Laws of 1979 ex. sess. and RCW 44.04.120 are each amended to read as follows:

Except where the provisions of RCW 44.04.080 apply, each member of the senate or house of representatives when serving on official legislative business shall be entitled to receive, in lieu of per diem or any other payment, for each day or major portion thereof in which he is actually engaged in legislative business or business of the committee, commission, or council outside his or her county of residence, notwithstanding any laws to the contrary, an allowance in an amount fixed by the secretary of the senate and chief clerk of the house, respectively, in accordance with applicable rules and resolutions of each body. Such allowance shall be reasonably calculated to reimburse expenses, exclusive of mileage, which are ordinary and necessary in the conduct of legislative business, recognizing cost variances which are encountered in different locales. The allowance authorized shall not exceed the greater of forty-four dollars per day or the maximum daily amount determined under RCW 43.03.050, as now or hereafter amended. In addition, a mileage allowance shall be paid at the rate per mile provided for in RCW 43.03.060, as now or hereafter amended, when authorized by the house, committee, commission, or council of which he is a member and on the business of which he is engaged.

This section shall not apply to any official travel by legislators which is subject to the provisions of Article 2, section 23 of the state Constitution.

Sec. 3. Section 1, chapter 185, Laws of 1975 1st ex. sess. and RCW 44.04.125 are each amended to read as follows:

Each member-elect of the senate or house of representatives who attends any meeting of the legislature or any of its committees, upon the invitation of the committee on rules of his or her respective house, shall be entitled to receive per diem, mileage, and incidental expense allowances ((at the rates prescribed in chapter 44.04 RCW, as now or hereafter amended)) as provided in this chapter for members.

Representatives Sanders and L. Smith spoke in favor of the amendment, and Representatives Sryan and D. Nelson spoke against it.

Mr. Sanders spoke again in favor of the amendment.

The amendment was not adopted.

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

#### MOTION

On motion of Mr. J. King, the House was adjourned until 11:00 a.m., Wednesday, January 30, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk

## SEVENTEENTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, January 30, 1985

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Dellwo, West and Wineberry, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Jeff Schutt and Lesley Weston. Prayer was offered by Pastor Ray Morrison of the First Church of the Nazarene in Olympia.

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

## MESSAGE FROM THE SENATE

January 28, 1985

Mr. Speaker:

The Senate has passed:

HOUSE JOINT MEMORIAL NO. 1,  
SENATE CONCURRENT RESOLUTION NO. 107,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE JOINT MEMORIAL NO. 1.

## INTRODUCTIONS AND FIRST READING

HB 315 by Representatives B. Williams, Belcher, Schoon, Hankins, Lewis, G. Nelson, Fuhrman, Dobbs, L. Smith, van Dyke, May, Lundquist, Schmidt, Doty, Walker, Van Luven, Silver, S. Wilson, Tilly, J. Williams, Thomas, Ballard, Chandler, Isaacson and Padden

AN ACT Relating to state government; adding a new section to chapter 44.28 RCW; and creating a new section.

Referred to Committee on State Government.

HB 316 by Representatives Niemi, Belcher, Hankins, B. Williams and Isaacson

AN ACT Relating to personal service contracts; amending RCW 39.29.003, 39.29.006, 39.29.010, 39.29.020, and 39.29.040; and adding new sections to chapter 39.29 RCW.

Referred to Committee on State Government.

HB 317 by Representatives Niemi, Belcher, Hankins, B. Williams and Isaacson

AN ACT Relating to personal service contracts; amending RCW 39.29.006, 39.29.010, 39.29.020, 39.29.030, and 39.29.040; and adding new sections to chapter 39.29 RCW.

Referred to Committee on State Government.

HB 318 by Representatives Walk, J. Williams, Gallagher, Van Luven, May, Betrozoff, Patrick, Nealey, Prince, Sanders, Hankins, S. Wilson, Holland and Winsley

AN ACT Relating to highway construction; and amending RCW 47.10.790 and 47.10.801.

Referred to Committee on Transportation.

HB 319 by Representatives Brekke, Lewis, Braddock, B. Williams and Winsley; by Department of Social and Health Services request



AN ACT Relating to nursing home auditing and cost reimbursement; amending RCW 74.46.180, 74.46.680, 74.46.690, 74.46.040, 74.46.050, 74.46.060, 74.46.080, 74.46.090, 74.46.100, 74.46.105, 74.46.130, 74.46.160, 74.46.475, and 74.46.820; creating a new section; and repealing RCW 74.46.520.

Referred to Committee on Social & Health Services.

HB 320 by Representatives Tanner, Patrick, Belcher, J. King, Jacobsen, Isaacson, Braddock, Hankins, Armstrong, Lewis, Leonard, Allen, Scott, Lux, Niemi, Holland, Miller, Ebersole and Brough

AN ACT Relating to dental hygienists; amending RCW 18.29.050, 18.29.060, 18.29.070, 18.29.020, and 18.130.040; adding new sections to chapter 18.29 RCW; and repealing RCW 18.29.031, 18.29.080, 18.29.090, and 18.29.100.

Referred to Committee on Social & Health Services.

HB 321 by Representatives Walk, Schmidt, Sutherland, Prince, J. Williams, Winsley and Hankins; by County Road Administration Board request

AN ACT Relating to county road funds; amending RCW 46.68.120 and 46.68.124; repealing RCW 36.80.080; and providing an effective date.

Referred to Committee on Transportation.

HB 322 by Representatives Todd, Brough, Crane, P. King, S. Wilson, Schoon and Day

AN ACT Relating to bingo facilities; and amending RCW 9.46.020.

Referred to Committee on Commerce & Labor.

HB 323 by Representatives Belcher, Unsoeld, Allen, Rust, Dellwo, Locke, P. King, Jacobsen, Fisher, Brekke and Dry

AN ACT Relating to the Nisqually river system; creating new sections; and making an appropriation.

Referred to Committee on Environmental Affairs.

HB 324 by Representatives Belcher, Sanders, P. King, Taylor and Isaacson; by Attorney General request

AN ACT Relating to state officers and employees; amending RCW 28B.50.060, 35.21-.418, 42.20.010, 43.33A.110, 66.08.080, 67.16.160, 74.09.290, and 86.09.286; reenacting and amending RCW 80.50.030; adding a new chapter to Title 42 RCW; and repealing RCW 42.18.010, 42.18.020, 42.18.030, 42.18.040, 42.18.050, 42.18.060, 42.18.070, 42.18.080, 42.18.090, 42.18.100, 42.18.110, 42.18.120, 42.18.130, 42.18.140, 42.18.150, 42.18.160, 42.18.170, 42.18.180, 42.18.190, 42.18.200, 42.18.210, 42.18.220, 42.18.230, 42.18.240, 42.18.250, 42.18.260, 42.18.270, 42.18.280, 42.18.290, 42.18.300, 42.18.310, 42.18.320, 42.18.330, 42.18.900, 42.21.010, 42.21.020, 42.21.030, 42.21.040, 42.21.050, 42.21.080, 42.21.090, 42.22.010, 42.22.020, 42.22.030, 42.22.040, 42.22.050, 42.22.060, 42.22.070, and 42.22.120.

Referred to Committee on State Government.

HB 325 by Representatives Zellinsky, Tilly, Crane, Addison, Nutley, West, Walker, Sanders, Hastings, Smitherman, Barrett, Bristow, Miller, Ballard, Isaacson, Silver and Wang

AN ACT Relating to negotiable instruments; amending RCW 9A.56.060 and 62A.3-515; and providing penalties.

Referred to Committee on Judiciary.

HB 326 by Representatives Wang, Jacobsen, Sayan, Lux and Fisher

AN ACT Relating to marginal labor force attachment; amending RCW 50.29.020; repealing RCW 50.20.015; and declaring an emergency.

Referred to Committee on Commerce & Labor.

HB 327 by Representatives Baugher, Patrick, Walk, Schmidt, Rayburn, R. King and Silver; by Washington State Patrol request

AN ACT Relating to motor vehicles; and amending RCW 46.37.190.

Referred to Committee on Transportation.

**HB 328** by Representatives Baugher, Van Luven, Walk, Schmidt and Fisch; by Washington State Patrol request

AN ACT Relating to the state commission on equipment; amending RCW 46.37.005, 46.37.310; and reenacting and amending RCW 46.37.320.

Referred to Committee on Transportation.

**HB 329** by Representatives Braddock, B. Williams, J. King, Winsley, Vekich, Gallagher, Baugher, Allen, Kremen, Crane, K. Wilson, Walk, Lux, Cole, Day, Niemi, Appelwick, McMullen, Wang, P. King, Rayburn, Dellwo, Unsoeld, Sommers, Hine, Miller, Saryan, Isaacson, Armstrong, Leonard, D. Nelson, Rust and Brekke

AN ACT Relating to retail trading practices in the sale of motor vehicle fuels; amending RCW 19.100.010; adding a new chapter to Title 19 RCW; prescribing penalties; providing an effective date; and declaring an emergency.

Referred to Committee on Trade & Economic Development.

**HB 330** by Representative Saryan

AN ACT Relating to vacating county right of way; and amending RCW 36.87.130.

Referred to Committee on Local Government.

**HB 331** by Representatives Sommers, Prince, Jacobsen and Miller

AN ACT Relating to higher education; amending RCW 28B.10.115, 28B.10.140, and 28B.20.060; decodifying RCW 28B.50.610, 28B.50.640, and 28B.50.660; and repealing RCW 28B.10.830, 28B.10.832, 28B.10.834, 28B.10.836, 28B.20.400, 28B.20.402, 28B.30.400, 28B.50.101, 28B.35.220, 28B.40.220, 28B.60.010, 28B.60.020, 28B.60.030, 28B.60.040, 28B.60.050, 28B.60.055, 28B.60.060, 28B.60.070, 28B.60.080, 28B.60.090, 28B.60.100, 28B.60.110, and 28B.60.120.

Referred to Committee on Higher Education.

**HB 332** by Representatives Crane, P. King, Holland, Leonard, Rayburn, Fisch, Wang, Brekke, Scott, Brough, Valle, Miller, R. King and Todd

AN ACT Relating to day care; adding new sections to chapter 74.15 RCW; and creating a new section.

Referred to Committee on Social & Health Services.

**HB 333** by Representatives Hargrove, Padden and Van Luven; by Attorney General request

AN ACT Relating to judicial review of convictions and commitments; and amending RCW 7.36.130.

Referred to Committee on Judiciary.

**HB 334** by Representatives Cole, Holland, Rust, P. King, Leonard and Brough; by Superintendent of Public Instruction request

AN ACT Relating to basic education; amending RCW 28A.41.140; and adding a new section to chapter 28A.41 RCW.

Referred to Committee on Education.

**HB 335** by Representatives Rust, Brough, Unsoeld and Lux

AN ACT Relating to misfueling and tampering with air pollution control devices; adding a new section to chapter 70.120 RCW; and prescribing penalties.

Referred to Committee on Environmental Affairs.

**HB 336** by Representatives Madsen and Barnes; by State Energy Office request

AN ACT Relating to energy supply emergencies; amending RCW 43.21G.040; providing an effective date; and declaring an emergency.

Referred to Committee on Energy & Utilities.

**HB 337** by Representatives Saryan, Vekich, R. King, Long and Brough

AN ACT Relating to veterans; and amending RCW 41.04.005.

Referred to Committee on State Government.

HB 338 by Representatives Sayan, Vekich, J. Williams, Hargrove and Bristow  
AN ACT Relating to group self-insurance for industrial insurance purposes; and adding a new section to chapter 51.14 RCW.

Referred to Committee on Commerce & Labor.

HB 339 by Representatives D. Nelson and Unsoeld  
AN ACT Relating to decommissioning of energy facilities; amending RCW 80.50.020; and adding new sections to chapter 80.50 RCW.

Referred to Committee on Energy & Utilities.

HB 340 by Representatives Unsoeld, D. Nelson, Todd and Wang  
AN ACT Relating to energy conservation; amending RCW 80.28.100; adding a new section to chapter 35.92 RCW; and adding a new section to chapter 54.24 RCW.

Referred to Committee on Energy & Utilities.

HB 341 by Representatives Todd, D. Nelson and P. King  
AN ACT Relating to the powers of the housing finance commission; amending RCW 43.180.140; and declaring an emergency.

Referred to Committee on Energy & Utilities.

HB 342 by Representative D. Nelson  
AN ACT Relating to conveyance of residential real property; and adding a new chapter to Title 64 RCW.

Referred to Committee on Energy & Utilities.

HB 343 by Representatives D. Nelson, Barnes, Todd, Isaacson, R. King, Long and Wang  
AN ACT Relating to disclosure of toxic substances in consumer products; adding new sections to chapter 43.22 RCW; creating a new section; prescribing penalties; and declaring an emergency.

Referred to Committee on Environmental Affairs.

HB 344 by Representatives D. Nelson, Todd, Schoon and Unsoeld  
AN ACT Relating to public assistance; amending RCW 80.28.080 and 80.36.130; adding a new chapter to Title 74 RCW; creating a new section; and repealing RCW 74.38.070.

Referred to Committee on Energy & Utilities.

HB 345 by Representative D. Nelson  
AN ACT Relating to construction of thermal projects by joint operating agencies; and amending RCW 43.52.250 and 43.52.391.

Referred to Committee on Energy & Utilities.

HB 346 by Representative D. Nelson  
AN ACT Relating to travel expenditures of joint operating agency personnel; and adding a new section to chapter 43.52 RCW.

Referred to Committee on Energy & Utilities.

HB 347 by Representatives Vekich, J. Williams, Tanner, Belcher, Nutley and Fuhrman  
AN ACT Relating to motor vehicles; adding a new section to chapter 46.64 RCW; and repealing RCW 46.64.060 and 46.64.070.

Referred to Committee on Judiciary.

HB 348 by Representatives Locke, West, Armstrong, P. King and Van Luven  
AN ACT Relating to sentencing reform; amending RCW 9.94A.030, 9.94A.040, 9.94A-.070, 9.94A.120, 9.94A.190, 9.94A.310, 9.94A.320, 9.94A.330, 9.94A.360, 9.94A.370, 9.94A.390, 9.94A.400, 9.94A.440, 9A.44.070, and 13.50.050; repealing RCW 9.94A.300 and 9.94A.410; providing an effective date; and declaring an emergency.

Referred to Committee on Judiciary.

HB 349 by Representatives R. King, Sanders, Smitherman, May, J. Williams and Isaacson

AN ACT Relating to the vesting of development rights and prohibiting the retroactive application of land use regulations; and adding a new chapter to Title 64 RCW.

Referred to Committee on Local Government.

HB 350 by Representatives Smitherman, R. King, Sanders, May, J. Williams, P. King, Zellinsky and Isaacson

AN ACT Relating to plats and subdivisions; and amending RCW 58.17.020.

Referred to Committee on Local Government.

HB 351 by Representatives Appelwick, Jacobsen, Hine, Basich, Sommers, Leonard and Lux

AN ACT Relating to teachers' retirement; and amending RCW 41.32.570.

Referred to Committee on Ways & Means.

HB 352 by Representative Smitherman

AN ACT Relating to the teachers' retirement system; amending RCW 41.32.401; and providing an effective date.

Referred to Committee on Ways & Means.

HB 353 by Representatives McMullen, Tanner, Niemi, B. Williams, P. King and Hine; by Commission for Vocational Education request

AN ACT Relating to the commission on vocational education; making an appropriation; declaring an emergency; and providing an effective date.

Referred to Committee on Ways & Means.

HB 354 by Representatives Braddock, Barrett, Kremen, Schoon, Haugen, Smitherman, J. Williams and Isaacson

AN ACT Relating to the taxation of tangible personal property to be delivered outside the state of Washington; adding a new section to chapter 82.04 RCW; and adding a new section to chapter 82.08 RCW.

Referred to Committee on Ways & Means.

HB 355 by Representatives Scott, Belcher, Bond, Zellinsky, Gallagher, Haugen, P. King, Fisch and Winsley; by Washington State Patrol request

AN ACT Relating to the Washington state patrol; and amending RCW 43.43.130.

Referred to Committee on Ways & Means.

HB 356 by Representatives Brekke, Lewis, B. Williams, Braddock, Brooks and Armstrong; by Department of Social and Health Services request

AN ACT Relating to reimbursement for social and health services; amending RCW 10.77.250, 10.82.080, 71.02.413, 72.23.230, 72.33.180, 72.33.670, 74.04.530, 74.04.540, and 74.04.550; adding a new section to chapter 74.04 RCW; creating a new section; and repealing RCW 71.02.416.

Referred to Committee on Social & Health Services.

HB 357 by Representatives Brekke, Lewis, Braddock, Brooks, Armstrong and Day; by Department of Social and Health Services request

AN ACT Relating to disclosure of personal records for research purposes; adding a new section to chapter 42.17 RCW; and prescribing penalties.

Referred to Committee on Social & Health Services.

HB 358 by Representatives Sayan, Betrozoff, Allen, Vekich, Belcher, Nutley, Wang, Miller, Fisch, Winsley, Leonard, Van Luven and Unsoeld

AN ACT Relating to employees' personnel files; and adding new sections to chapter 49.12 RCW.

Referred to Committee on Commerce & Labor.

HB 359 by Representatives Wang, Belcher, Hankins, J. King, Lewis, Sayan, Allen, Walk, Niemi, Miller, Walker, Todd, Baugher, Peery, O'Brien, Brooks, Unsoeld, Winsley, Vekich, P. King, Jacobsen, Valle, Leonard, Scott, Brough and Brekke

AN ACT Relating to day care facilities; and adding new sections to chapter 43.17 RCW.

Referred to Committee on State Government.

HB 360 by Representatives Grimm, Betzoff and Isaacson; by Temporary Committee on Educational Policies, Structure and Management request

AN ACT Relating to the superintendent of public instruction; adding a new section to chapter 28A.41 RCW; and declaring an emergency.

Referred to Committee on Education.

HB 361 by Representatives Grimm, Betzoff, Isaacson, R. King and Wang; by Temporary Committee on Educational Policies, Structure and Management request

AN ACT Relating to collective bargaining; amending RCW 41.58.020; adding new sections to chapter 41.59 RCW; and making an appropriation.

Referred to Committee on Education.

HB 362 by Representatives Grimm, Betzoff, Holland, P. King, Basich, Miller, Locke, Winsley, Schoon, Isaacson, Hine, Brough and Wang; by Temporary Committee on Educational Policies, Structure and Management request

AN ACT Relating to highly capable students; and amending RCW 28A.16.060.

Referred to Committee on Education.

HB 363 by Representatives Grimm, Betzoff, P. King, Basich, Locke and Wang; by Temporary Committee on Educational Policies, Structure and Management request

AN ACT Relating to adult educational skills; adding new sections to chapter 28A.03 RCW; and making an appropriation.

Referred to Committee on Education.

HB 364 by Representatives Grimm, Betzoff, Holland and P. King; by Temporary Committee on Educational Policies, Structure and Management request

AN ACT Relating to supervisory certificated employees in the common schools; amending RCW 28A.58.099 and 28A.67.073; adding a new section to chapter 28A.01 RCW; and creating a new section.

Referred to Committee on Education.

HB 365 by Representatives Grimm, Betzoff and Isaacson; by Temporary Committee on Educational Policies, Structure and Management request

AN ACT Relating to the state board of education; amending RCW 28A.04.010 and 28A.04.040; creating new sections; and repealing RCW 28A.04.020, 28A.04.030, 28A.04.050, 28A.04.060, 28A.04.065, 28A.04.070, and 28A.04.080.

Referred to Committee on Education.

HB 366 by Representatives Grimm, Betzoff, Locke, Crane, O'Brien, Sanders, Fisher and Wang; by Temporary Committee on Educational Policies, Structure and Management request

AN ACT Relating to instruction in foreign languages; adding a new section to chapter 28A.03 RCW; adding a new section to chapter 28A.04 RCW; creating a new section; making an appropriation; providing an effective date; and declaring an emergency.

Referred to Committee on Education.

HB 367 by Representatives Grimm, Betzoff, Holland, P. King, Smitherman, Miller, Winsley, Madsen, Isaacson, Fisher and Silver; by Temporary

Committee on Educational Policies, Structure and Management request

AN ACT Relating to remediation; amending RCW 28A.41.400, 28A.41.402, 28A.41.404, 28A.41.406, and 28A.41.410; and adding a new section to chapter 28A.41 RCW.

Referred to Committee on Education.

HB 368 by Representatives Grimm, Betzoff, Holland and P. King; by Temporary Committee on Educational Policies, Structure and Management request

AN ACT Relating to school district consultation, evaluation, and assistance program; and adding a new section to chapter 28A.03 RCW.

Referred to Committee on Education.

HB 369 by Representatives Grimm, Betzoff, P. King, Smitherman, Addison, Crane, Isaacson, Hastings and Ebersole; by Temporary Committee on Educational Policies, Structure and Management request

AN ACT Relating to education; amending RCW 28A.05.060 and 28A.03.360; adding a new section to chapter 28A.03 RCW; adding a new section to chapter 28A.04 RCW; adding a new section to chapter 28A.05 RCW; adding a new section to chapter 28A.58 RCW; and making an appropriation.

Referred to Committee on Education.

HB 370 by Representatives Grimm, Betzoff, P. King, Locke, Leonard, Isaacson, Hine, Ebersole and Wang; by Temporary Committee on Educational Policies, Structure and Management request

AN ACT Relating to preschool opportunities for disadvantaged children; adding a new section to chapter 28A.03 RCW; creating a new section; making an appropriation; providing an effective date; and declaring an emergency.

Referred to Committee on Education.

HB 371 by Representatives Grimm, P. King, Winsley, Madsen and Isaacson

AN ACT Relating to education; adding a new section to chapter 28A.03 RCW; creating new sections; and making appropriations.

Referred to Committee on Education.

HB 372 by Representatives Grimm, Betzoff, P. King, Jacobsen, Tilly, Miller, Locke, Crane, Winsley, Schoon, Isaacson, Silver, Hine, Todd and Brough; by Temporary Committee on Educational Policies, Structure and Management request

AN ACT Relating to early childhood education; amending RCW 28A.41.130; adding new sections to chapter 28A.03 RCW; adding a new section to chapter 28A.70 RCW; and making appropriations.

Referred to Committee on Education.

HB 373 by Representatives Belcher, Sutherland, Locke, Prince, Rust and Allen

AN ACT Relating to the powers and duties of the director of the department of game; amending RCW 77.04.020, 77.04.030, 77.04.040, 77.04.060, 77.04.080, 77.04.090, 77.08.010, 77.08.020, 77.08.030, 77.12.010, 77.12.020, 77.12.030, 77.12.040, 77.12.055, 77.12.060, 77.12.070, 77.12.080, 77.12.090, 77.12.100, 77.12.105, 77.12.140, 77.12.150, 77.12.170, 77.12.200, 77.12.210, 77.12.220, 77.12.260, 77.12.265, 77.12.270, 77.12.280, 77.12.290, 77.12.300, 77.12.315, 77.12.320, 77.12.323, 77.12.325, 77.12.330, 77.12.370, 77.12.420, 77.12.450, 77.12.530, 77.12.560, 77.12.570, 77.12.580, 77.12.590, 77.16.010, 77.16.020, 77.16.040, 77.16.060, 77.16.080, 77.16.095, 77.16.110, 77.16.120, 77.16.130, 77.16.150, 77.16.180, 77.16.310, 77.16.320, 77.21.010, 77.21.020, 77.21.030, 77.21.040, 77.21.060, 77.21.070, 77.32.007, 77.32.010, 77.32.050, 77.32.070, 77.32.090, 77.32.155, 77.32.197, 77.32.211, 77.32.220, 77.32.256, 77.32.320, 77.32.350, 77.32.360, 77.32.370, 9.41.098, 42.17.2401, 43.17.020, 43.51.675, 43.51.955, 75.08.055, 90.03.247, 90.22.010, and 90.22.020; reenacting and amending RCW 77.12.201; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Natural Resources.

HB 374 by Representatives Brekke, B. Williams, Braddock, Lewis, Brooks, Armstrong, Miller, Winsley and Day; by Department of Social and Health Services request

AN ACT Relating to the disclosure of confidential information and records to persons believed to be in possible danger; and amending RCW 71.05.390.

Referred to Committee on Social & Health Services.

HB 375 by Representatives Tilly, Sommers, B. Williams, Grimm, Braddock, Patrick, Silver, Winsley, Addison, Miller and Isaacson

AN ACT Relating to unfunded retirement system liabilities; and amending RCW 41.26.040, 41.26.080, 41.32.401, and 41.40.361.

Referred to Committee on Ways & Means.

HB 376 by Representatives Tilly, Sommers, Wang, B. Williams, Grimm, Braddock, Patrick, Silver, Winsley, Addison, Isaacson, Sanders, Padden and Haugen

AN ACT Relating to the state actuary; and amending RCW 44.44.040.

Referred to Committee on Ways & Means.

HB 377 by Representatives Sommers, Tilly, B. Williams, Grimm, Braddock, Winsley, Miller, Isaacson and Hastings

AN ACT Relating to unfunded retirement system liabilities; and amending RCW 41.40.361.

Referred to Committee on Ways & Means.

HB 378 by Representatives Sommers, Tilly, Wang, B. Williams, Grimm, Braddock, Patrick, Silver, Winsley, Basich, Miller, Isaacson and Brekke

AN ACT Relating to postretirement cost of living adjustments; adding a new section to chapter 43.88 RCW; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 379 by Representatives O'Brien, Smitherman, Jacobsen, Patrick, Haugen and Tilly

AN ACT Relating to local improvement districts and utility local improvement districts; amending RCW 35.43.040, 35.43.050, 35.44.010, and 35.44.020; adding a new section to chapter 35.43 RCW; adding a new section to chapter 35.44 RCW; adding a new section to chapter 35.45 RCW; and creating a new section.

Referred to Committee on Local Government.

HB 380 by Representative Grimm

AN ACT Relating to flooding; and adding a new section to chapter 86.26 RCW.

Referred to Committee on Environmental Affairs.

HB 381 by Representatives Patrick and Taylor

AN ACT Relating to fund-raising activities by political committees during legislative sessions; and adding a new section to chapter 42.17 RCW.

Referred to Committee on Constitution, Elections & Ethics.

HB 382 by Representatives Patrick, Addison, Isaacson and Sanders

AN ACT Relating to public assistance; and adding a new section to chapter 74.04 RCW.

Referred to Committee on Social & Health Services.

HB 383 by Representative Patrick

AN ACT Relating to public health and safety; adding a new section to chapter 70.96A RCW; and repealing RCW 70.96A.190.

Referred to Committee on Social & Health Services.

HB 384 by Representatives Patrick, Scott, Tilly, Ebersole, Holland, Padden, Dobbs, Chandler, Schmidt, Locke, Thomas and Isaacson

AN ACT Relating to controlled substances; and amending RCW 69.50.505.

Referred to Committee on Judiciary.

HB 385 by Representative Patrick

AN ACT Relating to civil service for law enforcement officers; and amending RCW 41.14.010.

Referred to Committee on Local Government.

HB 386 by Representatives Grimm, Tilly, Braddock and Holland; by Governor Gardner request

AN ACT Relating to state agencies; amending section 37, chapter 76, Laws of 1983 1st ex. sess. as amended by section 126, chapter 285, Laws of 1984 (uncodified); amending section 51, chapter 76, Laws of 1983 1st ex. sess. as amended by section 201, chapter 285, Laws of 1984 (uncodified); amending section 52, chapter 76, Laws of 1983 1st ex. sess. as amended by section 202, chapter 285, Laws of 1984 (uncodified); amending section 53, chapter 76, Laws of 1983 1st ex. sess. as amended by section 203, chapter 285, Laws of 1984 (uncodified); amending section 54, chapter 76, Laws of 1983 1st ex. sess. as amended by section 204, chapter 285, Laws of 1984 (uncodified); amending section 55, chapter 76, Laws of 1983 1st ex. sess. as amended by section 205, chapter 285, Laws of 1984 (uncodified); amending section 56, chapter 76, Laws of 1983 1st ex. sess. as amended by section 206, chapter 285, Laws of 1984 (uncodified); amending section 57, chapter 76, Laws of 1983 1st ex. sess. as amended by section 207, chapter 285, Laws of 1984 (uncodified); amending section 58, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 59, chapter 76, Laws of 1983 1st ex. sess. as amended by section 208, chapter 285, Laws of 1984 (uncodified); amending section 60, chapter 76, Laws of 1983 1st ex. sess. as amended by section 209, chapter 285, Laws of 1984 (uncodified); amending section 61, chapter 76, Laws of 1983 1st ex. sess. as amended by section 210, chapter 285, Laws of 1984 (uncodified); amending section 62, chapter 76, Laws of 1983 1st ex. sess. as amended by section 211, chapter 285, Laws of 1984 (uncodified); amending section 63, chapter 76, Laws of 1983 1st ex. sess. as amended by section 212, chapter 285, Laws of 1984 (uncodified); amending section 64, chapter 76, Laws of 1983 1st ex. sess. as amended by section 213, chapter 285, Laws of 1984 (uncodified); amending section 65, chapter 76, Laws of 1983 1st ex. sess. as amended by section 214, chapter 285, Laws of 1984 (uncodified); amending section 97, chapter 76, Laws of 1983 1st ex. sess. as amended by section 502, chapter 285, Laws of 1984 (uncodified); amending section 103, chapter 76, Laws of 1983 1st ex. sess. as amended by section 505, chapter 285, Laws of 1984 (uncodified); amending section 104, chapter 76, Laws of 1983 1st ex. sess. as amended by section 506, chapter 285, Laws of 1984 (uncodified); amending section 134, chapter 76, Laws of 1983 1st ex. sess. as amended by section 601, chapter 285, Laws of 1984 (uncodified); creating new sections; making appropriations; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 387 by Representatives Schmidt, Zellinsky, P. King, J. Williams and Van Luven

AN ACT Relating to sexual abuse of children; and amending RCW 9A.04.080.

Referred to Committee on Judiciary.

HB 388 by Representative P. King

AN ACT Relating to school construction bidding; and amending RCW 28A.58.135.

Referred to Committee on Education.

HJM 3 by Representatives Grimm, Betzoff, P. King, Locke, Isaacson and Wang; by Temporary Committee on Educational Policies, Structure and Management request

Petitioning Congress to provide financial assistance to help the public school system accommodate non-English speaking students.

Referred to Committee on Education.



HJM 4 by Representatives Grimm, Betzoff, P. King, D. Nelson, Isaacson and Hastings; by Temporary Committee on Educational Policies, Structure and Management request

Petitioning Congress to support a federal college savings plan.

Referred to Committee on Higher Education.

HJM 5 by Representatives Grimm, Betzoff, P. King, Jacobsen, Locke and Wang; by Temporary Committee on Educational Policies, Structure and Management request

Petitioning for federal action to increase minority participation in graduate programs.

Referred to Committee on Higher Education.

HJM 6 by Representative Patrick

Resolving that U.S. Constitution be amended to limit congressional terms of office to twelve years.

Referred to Committee on Constitution, Elections & Ethics.

HJR 7 by Representatives B. Williams, Belcher, Schoon, Hankins, Lewis, G. Nelson, Lundquist, May, Fuhrman, J. Williams, Thomas, Isaacson, Walker, Long, Silver and Brough

Authorizing reorganization of the executive branch.

Referred to Committee on State Government.

HJR 8 by Representatives D. Nelson, B. Williams, Leonard and Sommers

Permitting levies to be exceeded by taxing districts for capital purposes.

Referred to Committee on Ways & Means.

HJR 9 by Representatives G. Nelson and Long

Amending state Constitution to eliminate bail for persons being retried for a violent crime.

Referred to Committee on Judiciary.

HJR 10 by Representatives Grimm, Betzoff, B. Williams, J. Williams, Schoon, Hastings and Brough; by Temporary Committee on Educational Policies, Structure and Management request

Providing for the appointment of the superintendent of public instruction.

Referred to Committee on Education.

HJR 11 by Representatives Crane, Patrick, Hargrove, Padden, Holland, J. Williams and Silver; by Attorney General request

Adopting the federal search and seizure law.

Referred to Committee on Judiciary.

HJR 12 by Representatives Peery, R. King, Wang, Walker, C. Smith, Patrick, Chandler, Ebersole, Valle, McMullen, O'Brien, Belcher, Lux, Ballard, B. Williams, Hargrove, K. Wilson, Long, Haugen, Unsoeld, Hine, Sutherland, Bristow and Day; by Joint Select Committee on Workers' Compensation request

Permitting investment of industrial insurance trust funds.

Referred to Committee on Commerce & Labor.

HJR 13 by Representatives Patrick, Fuhrman, J. Williams, Miller, Chandler, Sanders and Walker

Resolving that Senate terms be six years, House terms be four years, and no legislator serve more than a total of twelve years after 1986.

Referred to Committee on Constitution, Elections & Ethics.

HCR 2 by Representatives Grimm, Betrozoff and Holland; by Temporary Committee on Educational Policies, Structure and Management request

Authorizing a needs assessment and planning guide for common school construction and maintenance.

Referred to Committee on Education.

HCR 3 by Representatives Sommers, Tilly, Wang, B. Williams, Grimm, Braddock, Patrick, Silver, Winsley, P. King, Schoon and Long

Continuing the joint interim committee on public retirement.

Referred to Committee on Rules.

#### MOTION

On motion of Mr. J. King, the bills, memorials and resolutions listed on today's agenda were considered first reading under the fourth order of business and referred to the committees designated.

SCR 107 by Senators Goltz, Talmadge and Vognilid

Establishing Joint Legislative Rules.

On motion of Mr. J. King, the rules were suspended, and Senate Concurrent Resolution No. 107 was advanced to second reading and read the second time in full.

On motion of Mr. J. King, further consideration of Senate Concurrent Resolution No. 107 was deferred.

#### REPORTS OF STANDING COMMITTEES

January 28, 1985

HB 1 Prime Sponsor, Representative Belcher: Establishing a pilot-scale management assessment and training program. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Belcher, Chair; Peery, Vice Chair; Baugher, Brooks, Fuhrman, Hankins, O'Brien, Sanders, Todd, van Dyke and Walk.

Absent: Representatives Taylor and Vekich.

Passed to Committee on Rules for second reading.

January 28, 1985

HB 2 Prime Sponsor, Representative Belcher: Government employee exchange program. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Belcher, Chair; Peery, Vice Chair; Baugher, Brooks, Fuhrman, Hankins, O'Brien, Sanders, Todd, van Dyke and Walk.

Absent: Representatives Taylor and Vekich.

Passed to Committee on Rules for second reading.

January 25, 1985

HB 4 Prime Sponsor, Representative Rayburn: Changing requirements for the removal of county seats. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Bristow, Hine, Rayburn, Smitherman, Winsley and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representatives Allen, Brough, Doty, Isaacson, May and Patrick.

Absent: Representative Ebersole.

Passed to Committee on Rules for second reading.

January 25, 1985

HB 27 Prime Sponsor, Representative Haugen: Authorizing a reduction in councilmanic offices in certain code cities. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Allen, Bristow, Brough, Doty, Hine, Isaacson, May, Patrick, Rayburn, Winsley, and Zellinsky.

Voting nay: Representative Smitherman.

Absent: Representative Ebersole.

Passed to Committee on Rules for second reading.

January 25, 1985

HB 28 Prime Sponsor, Representative Haugen: Authorizing biennial municipal budgets. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Allen, Bristow, Brough, Doty, Hine, Isaacson, May, Patrick, Rayburn, Smitherman, Winsley and Zellinsky.

Absent: Representatives Brough and Ebersole.

Passed to Committee on Rules for second reading.

January 25, 1985

HB 46 Prime Sponsor, Representative Armstrong: Clarifying the intent of the consumer protection act. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, P. King, G. Nelson, Niemi, Padden, Schoon, Tilly, Van Luven and Wang.

Voting nay: Representative West.

Absent: Representatives Hargrove, Lewis and Schmidt.

Passed to Committee on Rules for second reading.

January 28, 1985

HB 49 Prime Sponsor, Representative Sayan: Broadening the state's duty to pay prorated election costs. Reported by Committee on Constitution, Elections and Ethics

MAJORITY recommendation: Do pass with the following amendments: On page 1, line 8 after "offices" insert "state legislative offices."

On page 1, line 14, after "expenses" insert ", based upon the offices and measures listed in subsection (1) of this section."

Signed by Representatives Fisher, Chair; Leonard, Vice Chair; Barnes, Barrett, Day, Fisch, Madsen, Miller, Nealey and Sommers.

Absent: Representative Walker.

Passed to Committee on Rules for second reading.

January 28, 1985

HB 155 Prime Sponsor, Representative P. King: Changing requirements relating to notaries. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, Locke, G. Nelson, Niemi, Schmidt, Schoon, Tilly, Van Luven and Wang.

Voting nay: Representative Padden.

Absent: Representatives P. King and West.

Passed to Committee on Rules for second reading.

January 28, 1985

HB 175 Prime Sponsor, Representative Belcher: Extending the career executive program. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Belcher, Chair; Peery, Vice Chair; Baugher, Brooks, Fuhrman, Hankins, O'Brien, Sanders, Todd, van Dyke and Walk.

Absent: Representatives Taylor and Vekich.

Passed to Committee on Rules for second reading.

January 25, 1985

SB 3040 Prime Sponsor, Senator Talmadge: Correcting obsolete references relating to the department of community development. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, P. King, Locke, G. Nelson, Niemi, Padden, Schmidt, Schoon, Tilly, Van Luven, West and Wang.

Absent: Representatives Hargrove, Lewis and Van Luven.

Passed to Committee on Rules for second reading.

January 25, 1985

SB 3041 Prime Sponsor, Senator Talmadge: Deleting obsolete statutory references and nomenclature from the Revised Code of Washington. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, P. King, Locke, G. Nelson, Niemi, Padden, Schmidt, Schoon, Tilly, Van Luven, West and Wang.

Absent: Representatives Hargrove, Lewis and Van Luven.

Passed to Committee on Rules for second reading.

#### SECOND READING

HOUSE BILL NO. 55, by Representatives D. Nelson, Rust, Miller, Van Luven, Jacobsen, Nealey, Long, Sutherland, Valle, Gallagher, P. King and Unsoeld

Providing for a study of the transportation of radioactive materials.

The bill was read the second time. Committee on Energy & Utilities recommendation: Majority, do pass as amended. (For amendments, see Journal, 15th Day, January 28, 1985.)

On motion of Mr. D. Nelson the committee amendment on page 1, line 11 was adopted.

Mr. D. Nelson moved adoption of the committee amendment to page 1, line 19.

Representatives D. Nelson and Isaacson spoke in favor of the amendment, and it was adopted.

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

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Isaacson: "Mr. Speaker, there may be a fiscal impact on the bill we just sent to the Rules Committee because the costs are not fully borne by the Department of Energy. How would that be handled? Should that go to Ways & Means for referral? There is not a fiscal note with the bill, but I believe there may be a fiscal impact."

#### SPEAKER'S RULING

The Speaker: "There is no fiscal note attached and our rules say that if it has a fiscal impact of \$50,000 or more, or a negative impact of \$50,000 or more, then it would go to Ways & Means. It does not have a fiscal impact statement with it. I'm

not aware if one was requested. At this point it is going into Rules since it does not meet the requirements to go to Ways & Means."

#### SENATE CONCURRENT RESOLUTION NO. 107:

The House resumed consideration of Senate Concurrent Resolution No. 107 on second reading.

Mr. Barrett moved adoption of the following amendments:

On page 7, amend Rules 8 and 9 as follows:

Rule 8 on line 208 following "of" insert "~~((a majority of the members of the committee appointed from each house))~~ at least five of the six members of the committee"

Rule 9, line 220 following "of" insert "~~((a majority of the members of the committee appointed from each house))~~ at least five of the six members of the committee"

Representatives Barrett, Prince and Walker spoke in favor of the amendments, and Representatives J. King and R. King spoke against them.

Mr. Padden demanded an oral roll call vote on the amendments, and the demand was sustained.

Representatives Hastings and Barnes spoke in favor of the amendments, and Mr. Barrett spoke again in favor of them.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Barrett to Senate Concurrent Resolution No. 107, and the amendments were not adopted by the following vote: Yeas, 44; nays, 51; excused, 3.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, Williams B, Williams J, Wilson S, Winsley - 44.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Zellinsky, and Mr. Speaker - 51.

Excused: Representatives Dellwo, West, Wineberry - 3.

Senate Concurrent Resolution No. 107 was passed to Committee on Rules for third reading.

#### MOTION

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

#### THIRD READING

HOUSE BILL NO. 20, by Representatives Vander Stoep, Sayan and Dobbs

Recomputing school districts maintenance and operation levies in counties with classified or designated forest land.

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

Mr. Vander Stoep spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 20, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Dellwo, West, Wineberry - 3.

House Bill No. 20, having received the 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. 21, by Representatives Vekich, C. Smith, Rayburn, Chandler, Tilly and Sayan

Revising provisions relating to horticultural nursery dealers.

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

Representatives Vekich and Nealey spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 21, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Dellwo, West, Wineberry - 3.

Engrossed House Bill No. 21, having received the 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. 34, by Representatives Smitherman, Lewis, Wang, Zellinsky, Thomas, Winsley, Ebersole, Tanner, Kremen, Hargrove, Haugen and Isaacson

Modifying the regulation of water heater temperatures.

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

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

#### POINT OF INQUIRY

Mr. Smitherman yielded to question by Mr. Wang.

Mr. Wang: "Representative Smitherman, the 1983 law referred to individual water heaters. My understanding is that this language does not really intend to reference the 1983 law on individual water heaters, that it was intended to exclude multiple residences supplied by central water heating systems and therefore, this is just a clarification rather than a change in policy. Is that correct?"

Mr. Smitherman: "That is correct."

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 34, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Dellwo, West, Wineberry - 3.

House 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.

ENGROSSED HOUSE BILL NO. 37, by Representatives D. Nelson, Brough, Rust, Allen, Unsoeld, R. King, P. King, Fisch, McMullen and Lux

Authorizing above-ground tanks for recycling used oil.

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

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

POINT OF INQUIRY

Ms. Rust yielded to question by Ms. Allen.

Ms. Allen: "Representative Rust, is there any intent on the part of the committee to allow the Department of Energy to stipulate the placement of these tanks?"

Ms. Rust: "The intent of the bill is to adopt rules for standardized above-ground tanks for the collection of used oil. There is no intention in stipulating that local governments have to provide them in any particular place, at any time, any way, in this bill."

Ms. Allen spoke in favor of the bill.

POINT OF INQUIRY

Ms. Rust yielded to question by Mr. Isaacson.

Mr. Isaacson: "Representative Rust, many small collectors still do use fifty-five gallon drums for collecting their oil. Does this bill make it possible then that the Department of Ecology may make it illegal to store used oil in fifty-five gallon drums?"

Ms. Rust: "I'm sorry, I can't answer that question. The bill states that the State Fire Marshal, in cooperation with the Department of Ecology, shall adopt rules to allow for the placement of above-ground tanks for collection of used oil. It could be in their rule-making that they would decide that the drums are not safe."

Mr. Isaacson spoke in favor of the bill.

POINT OF INQUIRY

Mr. Isaacson yielded to question by Mr. Sanders.

Mr. Sanders: "Representative Isaacson, what is your understanding of the intent of this legislation?"

Mr. Isaacson: "The intent is to permit the Department of Ecology to establish a standardized design for a maximum-sized container for the collection of used oil. A standardized design would have many improvements and applications and perhaps be safer, especially as defined by the Fire Marshal over other types of containers. However, the intent is not to outlaw the use of standard fifty-five gallon drums for this purpose because those are standard containers that have particularly easy application. They are easy to handle; people are accustomed to them and they are easy to pick up and transport and replace."

POINT OF INQUIRY

Mr. D. Nelson yielded to question by Mr. Bond.

Mr. Bond: "Representative Nelson, I pretty well understand what you are doing here, but there's a major problem I think you left out, and that's the matter of a container to get it from home to the collection tank. Does this bill prescribe an authorized container with which to do that?"

Mr. D. Nelson: "No, Representative Bond, it does not. That issue was raised in the Environmental Affairs Committee. The State Fire Marshal's office indicated that would be included in the rules and the industry's representative indicated that is an issue that they plan to take care of by providing for a receptacle for people bringing their oil to deposit."

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

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 37, and the bill passed the House by the following vote: Yeas, 94; nays, 1; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representative Fuhrman - 1.

Excused: Representatives Dellwo, West, Wineberry - 3.

Engrossed House Bill No. 37, having received the 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. 107, by Representatives Crane, P. King, Armstrong, Dellwo, Sutherland, Zellinsky, Barnes, Locke, West and Padden

Expanding and clarifying the crime of interference with official proceedings.

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

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

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 107, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Dellwo, West, Wineberry - 3.

House Bill No. 107, having received the 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. 3065, by Senators Bottiger and Hayner

Revising provisions relating to subsistence and lodging for members of the legislature.

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

Mr. Sayan spoke in favor of the bill, and Mr. Sanders spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3065, and the bill passed the House by the following vote: Yeas, 58; nays, 37; excused, 3.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barrett, Basich, Belcher, Betzoff, Braddock, Brekke, Brough, Cole, Crane, Day, Ebersole, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Leonard, Lewis, Locke, Long, Lux, Madsen, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Prince, Rust, Sayan, Scott, Silver, Sommers, Sutherland, Tanner, Taylor, Tilly, Todd, Unsoeld, Vekich, Walk, Wang, Wilson S, and Mr. Speaker - 58.

Voting nay: Representatives Addison, Barnes, Baugher, Bond, Bristow, Brooks, Chandler, Dobbs, Doty, Fisch, Fuhrman, Hastings, Holland, Isaacson, Kremen, Lundquist, May, Patrick, Peery, Rayburn, Sanders, Schmidt, Schoon, Smith C, Smith L, Smitherman, Thomas, Valle, van Dyke, Van Luven, Vander Stoep, Walker, Williams B, Williams J, Wilson K, Winsley, Zellinsky - 37.



Excused: Representatives Dellwo, West, Wineberry - 3.

Engrossed Senate Bill No. 3065, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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

#### MOTIONS

On motion of Mr. J. King, HOUSE BILL NO. 51 was rereferred from Committee on Social & Health Services to Committee on Labor; HOUSE BILL NO. 61 was rereferred from Committee on Local Government to Committee on Financial Institutions and Insurance; House Bill No. 93 was rereferred from Committee on Education to Committee on Social & Health Services; HOUSE BILL NO. 157 was rereferred from Committee on Transportation to Committee on Financial Institutions & Insurance.

On motion of Mr. J. King, HOUSE BILL NO. 232 was referred to Committee on Environmental Affairs.

#### MOTION

On motion of Mr. J. King, the House adjourned until 11:00 a.m., Friday, February 1, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk

## NINETEENTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Friday, February 1, 1985.

The House was called to order at 11:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Tanner, West and Wineberry, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Gina Guilley and Kevin Keast. Prayer was offered by Ray Morrison, Pastor of the First Church of the Nazarene in Olympia.

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

## MESSAGES FROM THE SENATE

January 30, 1985

Mr. Speaker:

The President has signed:

HOUSE JOINT MEMORIAL NO. 1,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

January 31, 1985

Mr. Speaker:

The President has signed:

SENATE BILL NO. 3065,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

January 30, 1985

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 3092,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTIONS AND FIRST READING

HB 389 by Representatives Nutley, Belcher, Hankins and Winsley; by Department of Services for the Blind request

AN ACT Relating to the business enterprise program; and amending RCW 74.18.200 and 74.18.230.

Referred to Committee on State Government.

HB 390 by Representative Armstrong

AN ACT Relating to garnishment; and amending RCW 7.33.090.

Referred to Committee on Judiciary.

HB 391 by Representatives Brooks, Belcher, O'Brien and Hankins; by Department of General Administration request

AN ACT Relating to state purchasing; and amending RCW 43.19.1906.

Referred to Committee on State Government.

HB 392 by Representatives Baugher, Belcher, O'Brien and Hankins; by Department of General Administration request

AN ACT Relating to state purchasing; and repealing RCW 39.24.020, 39.24.030, and 39.24.040.

Referred to Committee on State Government.

- HB 393** by Representatives Brooks, Belcher, J. Williams, O'Brien and Hankins; by Department of General Administration request  
AN ACT Relating to state purchasing; and adding a new section to chapter 43.19 RCW.  
Referred to Committee on State Government.
- HB 394** by Representatives J. King and Lewis  
AN ACT Relating to the practice of physical therapy; and amending RCW 18.74.010.  
Referred to Committee on Social & Health Services.
- HB 395** by Representatives Braddock, Tanner and P. King  
AN ACT Relating to licensing of physical therapist assistants; amending RCW 18.74.010, 18.74.023, and 18.74.060; and adding new sections to chapter 18.74 RCW.  
Referred to Committee on Social & Health Services.
- HB 396** by Representatives Brekke, Lewis, Braddock, Brooks and Armstrong; by Department of Social and Health Services request  
AN ACT Relating to making state eligibility requirements for grant assistance programs consistent with federal law; and amending RCW 74.12.035, 74.04.005, and 74.04.660.  
Referred to Committee on Social & Health Services.
- HB 397** by Representatives Brekke and Armstrong; by Department of Social and Health Services request  
AN ACT Relating to certificate of need review; amending RCW 70.38.105; and creating a new section.  
Referred to Committee on Social & Health Services.
- HB 398** by Representatives Walk and Betzoff; by Department of Licensing request  
AN ACT Relating to registration of motor vehicles; adding a new section to chapter 46.16 RCW; adding a new section to chapter 46.85 RCW; and declaring an emergency.  
Referred to Committee on Transportation.
- HB 399** by Representatives K. Wilson, Schmidt, Walk, Patrick and P. King; by Department of Licensing request  
AN ACT Relating to motor vehicle business licenses; amending RCW 46.70.083, 46.76.050, 46.79.050, and 46.80.050; adding a new section to chapter 46.70 RCW; adding a new section to chapter 46.76 RCW; adding a new section to chapter 46.79 RCW; and adding a new section to chapter 46.80 RCW.  
Referred to Committee on Transportation.
- HB 400** by Representatives van Dyke, Tilly, Lewis, Doty, Walker, Brooks, Schoon, Ballard and Long  
AN ACT Relating to excise taxes; amending RCW 82.08.0283 and 82.12.0277; and providing an effective date.  
Referred to Committee on Ways & Means.
- HB 401** by Representative van Dyke  
AN ACT Relating to land banks; and amending RCW 79.66.030.  
Referred to Committee on Natural Resources.
- HB 402** by Representatives R. King, Patrick, Sayan, S. Wilson, J. Williams, Gallagher, Fisch, Doty, Barrett, Cole and P. King  
AN ACT Relating to raffle tickets; and amending RCW 9.46.020.  
Referred to Committee on Commerce & Labor.
- HB 403** by Representatives Nutley, Brough, Miller, Valle, P. King and Barnes  
AN ACT Relating to water and sewer districts; and amending RCW 56.08.013.  
Referred to Committee on Environmental Affairs.

**HB 404** by Representatives Tanner, Sayan, Lux, Addison, Lewis, Valle, Vekich, G. Nelson, P. King and Isaacson

AN ACT Relating to education in osteopathic medicine; amending RCW 28B.80.160; and making an appropriation.

Referred to Committee on Higher Education.

**HB 405** by Representatives Baugher and Belcher; by Department of General Administration request

AN ACT Relating to state purchasing; and repealing RCW 39.25.010, 39.25.020, and 39.25.030.

Referred to Committee on State Government.

**HB 406** by Representatives Baugher, Walk, Lewis, Rayburn, Lundquist, Vekich, Brooks, Bristow, McMullen, Haugen, Sanders, Smitherman, Zellinsky, Gallagher, Fisher, Prince, Fisch, Kremen, Tilly, Hastings, Todd, Doty, B. Williams, Ballard, Sutherland, Taylor, Schmidt, Chandler and Hankins

AN ACT Relating to tourist and agricultural directional signs; amending RCW 47.42-.020, 47.42.040, 47.42.047, 47.42.055, and 47.42.080; adding new sections to chapter 47.42 RCW; and creating a new section.

Referred to Committee on Transportation.

**HB 407** by Representatives Valle, Rayburn, Wang, Ebersole, Holland, P. King and Todd

AN ACT Relating to certificated employees; amending RCW 28A.67.065; adding new sections to chapter 28A.03 RCW; and creating a new section.

Referred to Committee on Education.

**HB 408** by Representatives R. King, Isaacson, Walk, Smitherman, Zellinsky, Hankins, Prince, Fisher, Barnes, Lewis, Wang, Fisch, S. Wilson, Hargrove, Lux, P. King, Schoon, Silver, Leonard, Long, K. Wilson, Bristow and Dry

AN ACT Relating to public library funding; amending RCW 27.12.010 and 27.12.020; adding new sections to chapter 27.12 RCW; and making an appropriation.

Referred to Committee on Local Government.

**HB 409** by Representatives Sayan, Betrozoff, Wang, J. Williams, Hine, Barrett, Fisher, Addison, O'Brien, Hastings, Fisch, B. Williams, Cole, Ebersole, Niemi, Hankins, Locke, G. Nelson, P. King, Walker and Long

AN ACT Relating to the practice of architecture; adding new sections to chapter 18.08 RCW; repealing RCW 18.08.100, 18.08.110, 18.08.120, 18.08.130, 18.08.140, 18.08.150, 18.08.160, 18.08.170, 18.08.180, 18.08.190, 18.08.200, 18.08.210, 18.08.220, 18.08.230, 18.08.250, 18.08.260, and 18.08.270; and prescribing penalties.

Referred to Committee on Commerce & Labor.

**HB 410** by Representatives Locke, Appelwick, Niemi, Jacobsen, Wang, Patrick, Addison and P. King

AN ACT Relating to prisoner fines and costs; and amending RCW 10.82.030.

Referred to Committee on Judiciary.

**HB 411** by Representatives Locke, Haugen and P. King

AN ACT Relating to city budgets; and amending RCW 35.32A.030, 35.32A.040, and 35.32A.060.

Referred to Committee on Local Government.

**HB 412** by Representatives Braddock, Bristow, Lundquist, Hine and P. King

AN ACT Relating to electrical installations; and amending RCW 19.28.010, 19.28.015, 19.28.120, 19.28.190, 19.28.210, 19.28.360, and 70.79.090.

Referred to Committee on Local Government.

- HB 413** by Representatives P. King, Winsley, Holland, Crane and Zellinsky  
AN ACT Relating to internships and training for certificated employees; and adding new sections to chapter 28A.70 RCW.  
Referred to Committee on Education.
- HB 414** by Representatives Padden and Taylor  
AN ACT Relating to aquifer-groundwater protection; amending RCW 36.94.020; and adding new sections to chapter 36.94 RCW.  
Referred to Committee on Environmental Affairs.
- HB 415** by Representatives Schoon, Sanders, B. Williams, S. Wilson, J. Williams, Barrett, Padden, Doty, Ballard, C. Smith, Dobbs, Brough, van Dyke, Allen, Walker, Fuhrman, Isaacson, May, Bond, Patrick, Lundquist, Tilly, Silver, Chandler and Long  
AN ACT Relating to economic development; adding a new chapter to Title 82 RCW; providing an effective date; and declaring an emergency.  
Referred to Committee on Ways & Means.
- HB 416** by Representatives Appelwick, Patrick, Hastings, Jacobsen, Holland and Winsley  
AN ACT Relating to dietetics; adding a new chapter to Title 18 RCW; prescribing penalties; and making an appropriation.  
Referred to Committee on Social & Health Services.
- HB 417** by Representatives Barrett, K. Wilson, R. King and Wang  
AN ACT Relating to educational clinics; and amending RCW 28A.97.010.  
Referred to Committee on Education.
- HB 418** by Representatives R. King, S. Wilson, Hastings, Barrett, Fisch, Day, Lewis, Schmidt, Smitherman, Lux, Gallagher, McMullen, P. King, Tanner, G. Nelson, Braddock, Long, Ebersole, Haugen, West and Zellinsky  
AN ACT Relating to the control of gambling; and amending RCW 9.46.020 and 9.46.110.  
Referred to Committee on Commerce & Labor.
- HB 419** by Representatives Leonard, Miller and P. King; by Secretary of State request  
AN ACT Relating to voter registration records; adding a new section to chapter 29.07 RCW; and repealing RCW 29.07.150.  
Referred to Committee on Constitution, Elections & Ethics.
- HB 420** by Representatives Locke, Fuhrman, O'Brien, Brooks, Sayan, Basich, Vekich, D. Nelson, Allen, Schoon, Fisch, Lundquist, Patrick, Silver, Ballard, Addison, Hargrove and Taylor  
AN ACT Relating to fishing licenses; and amending RCW 77.32.230.  
Referred to Committee on Natural Resources.
- HB 421** by Representatives Belcher, Locke, Barrett, Allen, D. Nelson, Unsoeld, Nutley, Scott, Day, Jacobsen, Niemi, Tanner, Patrick, Lux, P. King and Dellwo  
AN ACT Relating to communication access for the hearing impaired population; amending RCW 2.42.050; and adding new sections to chapter 2.42 RCW.  
Referred to Committee on Judiciary.
- HB 422** by Representatives J. Williams, Tilly, Vander Stoep, Holland, Zellinsky, Hastings, Prince, Chandler, Ballard, Addison, Bond, Sanders, May, Fuhrman, Patrick, Dobbs, Van Luven, S. Wilson and Taylor

AN ACT Relating to property taxation; and amending RCW 84.40.045.

Referred to Committee on Ways & Means.

HB 423 by Representatives Smitherman, Tilly, J. Williams, Vander Stoep, Zellinsky, Holland, Schmidt, Hastings, Prince, Chandler, Betrozoff, Ballard, Addison, Bond, May, Fuhrman, Dobbs, Patrick, Van Luven, Long, Lundquist, P. King, Silver, Todd, van Dyke, Isaacson and Thomas

AN ACT Relating to the recovery or refund of taxes; and amending RCW 82.32.060, 84.69.100, and 84.69.140.

Referred to Committee on Ways & Means.

HB 424 by Representatives Addison, Sommers, Zellinsky, Tanner, Miller and P. King

AN ACT Relating to Washington's participation in the Western Interstate Compact for Higher Education; and amending RCW 28B.80.160.

Referred to Committee on Higher Education.

HB 425 by Representatives Hastings, Vekich, Ballard and Brooks

AN ACT Relating to pesticides; and amending RCW 17.21.100.

Referred to Committee on Agriculture.

HB 426 by Representatives Isaacson, B. Williams, Schoon, Tilly, Fuhrman, Sanders, Thomas, van Dyke, Nealey, Van Luven, Chandler and Patrick

AN ACT Relating to state government; amending RCW 43.88.020 and 43.88.160; adding a new chapter to Title 43 RCW; adding new sections to chapter 43.88 RCW; and repealing RCW 43.88.520, 43.88.525, 43.88.530, 43.88.535, and 43.88.540.

Referred to Committee on Ways & Means.

HB 427 by Representatives Fisch, Patrick, Ebersole, Chandler, Wang, P. King, Basich and Winsley

AN ACT Relating to real estate licenses; and amending RCW 18.85.215.

Referred to Committee on Commerce & Labor.

HB 428 by Representatives Fisch, Patrick, Ebersole, Chandler, Wang, P. King, Basich and Winsley

AN ACT Relating to real estate licenses; and amending RCW 18.85.090.

Referred to Committee on Commerce & Labor.

HB 429 by Representatives Fisch, Patrick, Ebersole, Chandler, Wang, P. King, Basich and Winsley

AN ACT Relating to real estate salespersons; and amending RCW 18.85.095.

Referred to Committee on Commerce & Labor.

HB 430 by Representatives R. King, Brough, Zellinsky, Smitherman, Patrick, Isaacson, Winsley, Doty, Ebersole, May, P. King and Sanders

AN ACT Relating to local government planning agencies; amending RCW 36.70.590 and 35A.63.070; and adding a new section to chapter 35.63 RCW.

Referred to Committee on Local Government.

HB 431 by Representatives Fisch and Hargrove

AN ACT Relating to wages and other conditions of employment; and amending RCW 49.46.060.

Referred to Committee on Commerce & Labor.

HB 432 by Representatives Fisch and Cole

AN ACT Relating to reimbursement for school bus repairs; and amending RCW 28A.41.540.

Referred to Committee on Education.

**HB 433** by Representatives Fisch, Miller, Fisher, Allen, J. King, Winsley, Jacobsen, Barrett, Basich, Betrozoff, O'Brien, Doty, Sryan, Lewis, Lux, J. Williams, Appelwick, Silver, Vekich, Ballard, Kremen, Holland, Taylor and Hine

AN ACT Relating to the presidential nominating process; creating a presidential preference primary for major political parties; amending RCW 29.42.010; adding a new chapter to Title 29 RCW; and providing for a vote of the people.

Referred to Committee on Constitution, Elections & Ethics.

**HB 434** by Representatives Niemi, Brekke, Dellwo, Ballard and Cole

AN ACT Relating to licensing of dental faculty; and adding a new section to chapter 18.32 RCW.

Referred to Committee on Social & Health Services.

**HB 435** by Representatives Wang, Barrett, R. King, Patrick, Sryan, Winsley, Fisch, Vekich, Madsen, Fisher, P. King, Basich and Isaacson

AN ACT Relating to county, municipal, and political subdivision employees; amending RCW 51.32.090; and adding a new section to chapter 41.04 RCW.

Referred to Committee on Commerce & Labor.

**HB 436** by Representatives Walk, Gallagher and Patrick; by Washington Utilities and Transportation Commission request

AN ACT Relating to the transportation regulation of package or parcel delivery; and amending RCW 81.80.040.

Referred to Committee on Transportation.

**HB 437** by Representatives Walk, Gallagher, Patrick and P. King; by Washington Utilities and Transportation Commission request

AN ACT Relating to agricultural haulers; amending RCW 81.80.010 and 81.80.040; and adding a new section to chapter 81.80 RCW.

Referred to Committee on Transportation.

**HB 438** by Representatives Walk, Gallagher and Schmidt; by Washington Utilities and Transportation Commission request

AN ACT Relating to passenger charter carriers; amending RCW 81.70.020; adding new sections to chapter 81.70 RCW; and repealing RCW 81.70.040, 81.70.050, 81.70.060, 81.70.070, 81.70.080, 81.70.090, 81.70.095, 81.70.100, 81.70.110, 81.70.120, 81.70.130, 81.70.140, 81.70.150, 81.70.160, 81.70.170, 81.70.180, 81.70.190, 81.70.200, 81.70.210, 81.70.900, and 81.70.910.

Referred to Committee on Transportation.

**HB 439** by Representatives Todd and D. Nelson

AN ACT Relating to contracting authority of public service companies; and amending RCW 80.04.300 and 80.04.320.

Referred to Committee on Energy & Utilities.

**HB 440** by Representatives Todd, P. King, Scott, Valle, Ebersole and Holland

AN ACT Relating to vocational education; amending section 97, chapter 76, Laws of 1983 1st ex. sess. as amended by section 502, chapter 285, Laws of 1984 (uncodified); and declaring an emergency.

Referred to Committee on Ways & Means.

**HB 441** by Representatives Todd, Long, Unsoeld, D. Nelson, Jacobsen, Wang, Hine and Locke

AN ACT Relating to energy-related building standards; amending RCW 19.27.030 and 19.27.075; repealing RCW 19.27.200, 19.27.210, 19.27.220, 19.27.230, 19.27.240, 19.27.250,

19.27.260, 19.27.270, 19.27.280, 19.27.290, 19.27.300, and 19.27.310; and declaring an emergency.

Referred to Committee on Energy & Utilities.

**HB 442** by Representatives Haugen, Allen, Hine, Nutley, Unsoeld, May and Holland

AN ACT Relating to annexation of unincorporated areas; amending RCW 36.93.090; adding a new section to chapter 35.13 RCW; and adding a new section to chapter 35A.14 RCW.

Referred to Committee on Local Government.

**HB 443** by Representatives Sayan, D. Nelson, Vekich, Unsoeld and Todd

AN ACT Relating to rural telephone service; amending RCW 80.36.090 and 82.16.050; and making an appropriation.

Referred to Committee on Energy & Utilities.

**HB 444** by Representatives Sommers, Grimm, Patrick, Tilly, Wang, Ballard and Isaacson; by Department of Retirement Systems request

AN ACT Relating to the law enforcement officers' and fire fighters' retirement system; amending RCW 41.26.120, 41.26.270, 41.26.005, and 41.50.090; adding a new section to chapter 41.26 RCW; and creating a new section.

Referred to Committee on Ways & Means.

**HB 445** by Representatives Scott, Schmidt, Crane, Lundquist, Holland, P. King, Isaacson and Hine; by Attorney General request

AN ACT Relating to children's testimony; and adding a new section to chapter 13.34 RCW.

Referred to Committee on Judiciary.

**HB 446** by Representatives Thomas, Smitherman, B. Williams, Baugher, Schoon, Tanner, Silver, Hargrove, L. Smith, Ballard, Doty, Vander Stoep, May, Van Luven, van Dyke, Walker, Dobbs, J. Williams, Lewis, Hastings, Long, Isaacson, Zellinsky, Hine, Kremen, Taylor, Schmidt and Bristow

AN ACT Relating to duties of the business license center; and amending RCW 19.02.038.

Referred to Committee on Trade & Economic Development.

**HB 447** by Representatives Nealey, Baugher, Rayburn, C. Smith, Zellinsky, Fuhrman, Dobbs, J. Williams, May, Walker, Chandler and Long

AN ACT Relating to excise taxes on installment sales and leases; amending RCW 82.08.090 and 82.12.060; and providing an effective date.

Referred to Committee on Ways & Means.

**HB 448** by Representatives Baugher, Nealey, Bristow, Chandler, C. Smith, Hastings, Rayburn and Fuhrman

AN ACT Relating to liens for crop dusting and spraying; and adding a new section to chapter 60.14 RCW.

Referred to Committee on Agriculture.

**HB 449** by Representatives P. King, West, Wang and Barrett

AN ACT Relating to insurance rates; amending RCW 48.19.010; adding a new chapter to Title 48 RCW; prescribing penalties; providing an effective date; and providing an expiration date.

Referred to Committee on Financial Institutions & Insurance.

**HB 450** by Representatives Armstrong and P. King

AN ACT Relating to adoption; amending RCW 70.58.210, 26.33.290, and 26.33.330; adding new sections to chapter 26.33 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

**HB 451** by Representative Armstrong



AN ACT Relating to health clubs; adding a new chapter to Title 19 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

HB 452 by Representatives Baugher, Lewis, McMullen, Armstrong, Crane and Hine

AN ACT Relating to personal recognizance; adding a new section to chapter 10.04 RCW; and adding a new section to chapter 10.19 RCW.

Referred to Committee on Judiciary.

HB 453 by Representative P. King

AN ACT Relating to the Uniform Fraudulent Transfer Act; adding new sections to chapter 19.40 RCW; and repealing RCW 19.40.010, 19.40.020, 19.40.030, 19.40.040, 19.40.050, 19.40.060, 19.40.070, 19.40.080, 19.40.090, 19.40.100, 19.40.110, 19.40.120, and 19.40.130.

Referred to Committee on Judiciary.

HB 454 by Representatives Armstrong, Valle, Holland and Haugen

AN ACT Relating to driving while intoxicated; and amending RCW 46.61.502 and 46.61.504.

Referred to Committee on Judiciary.

HB 455 by Representatives Armstrong, P. King, Scott and Haugen

AN ACT Relating to law enforcement; adding a new chapter to Title 10 RCW; adding a new section to chapter 43.10 RCW; and providing an effective date.

Referred to Committee on Judiciary.

HB 456 by Representatives Crane, Kremen, Hargrove, Rayburn and Valle

AN ACT Relating to driving while intoxicated; and adding a new section to chapter 46.64 RCW.

Referred to Committee on Judiciary.

HB 457 by Representatives Leonard, Fisch, Fisher, Jacobsen, Miller, D. Nelson, Cole, Lux, Patrick, P. King, Basich and Winsley

AN ACT Relating to campaign financing limitations; adding new sections to chapter 42.17 RCW; creating a new section; prescribing penalties; providing an effective date; and declaring an emergency.

Referred to Committee on Constitution, Elections & Ethics.

HB 458 by Representatives Sommers, Tilly, B. Williams, Braddock, Wang, Grimm, Silver, Patrick and P. King

AN ACT Relating to retirement of judges; amending RCW 2.10.040; and adding new sections to chapter 41.40 RCW.

Referred to Committee on Ways & Means.

HB 459 by Representatives O'Brien, Wang, Jacobsen, Patrick, Lux and Locke

AN ACT Relating to the sale of kosher food; adding a new chapter to Title 69 RCW; and prescribing penalties.

Referred to Committee on Agriculture.

HB 460 by Representatives Wang, Jacobsen, Tilly, D. Nelson, Long, Locke, Barnes, Armstrong, Isaacson, Todd, Gallagher, Unsoeld and Winsley

AN ACT Relating to telephone solicitation; adding a new chapter to Title 19 RCW; and prescribing penalties.

Referred to Committee on Energy & Utilities.

HB 461 by Representatives Kremen, Schoon, Unsoeld, Barrett, Braddock, Hargrove, Tanner, J. King, McMullen and P. King

AN ACT Relating to economic development; amending RCW 43.160.060 and 43.160.080; and creating a new section.

Referred to Committee on Trade & Economic Development.

**HB 462** by Representatives Niemi, Lux, Sanders, Barrett, Winsley, Crane and P. King

AN ACT Relating to banks and bank holding companies; amending RCW 30.04.230; adding a new section to chapter 30.04 RCW; and providing an effective date.

Referred to Committee on Financial Institutions & Insurance.

**HB 463** by Representative Smitherman

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

Referred to Committee on Environmental Affairs.

**HB 464** by Representatives Patrick, Sutherland, Sanders, Leonard, Isaacson, Sayan, Dobbs, Haugen, Lundquist, J. Williams, van Dyke and Cole

AN ACT Relating to wildlife management; and amending RCW 77.12.240.

Referred to Committee on Natural Resources.

**HB 465** by Representatives Crane, Valle, Schoon, Leonard, Lux, Brough, Locke, Armstrong, Patrick, Cole, Ebersole, Hine, Holland, Wang, P. King and Todd

AN ACT Relating to juvenile sex offenders' treatment; creating new sections; and making an appropriation.

Referred to Committee on Social & Health Services.

**HB 466** by Representatives Sutherland, Belcher and S. Wilson

AN ACT Relating to fish dealers and buyers; amending RCW 75.28.300; adding a new section to chapter 75.10 RCW; adding new sections to chapter 75.28 RCW; repealing RCW 75.28.350; and prescribing penalties.

Referred to Committee on Natural Resources.

**HJM 7** by Representatives Lewis, van Dyke and Brooks

Requesting legislation to allow radio broadcasts in commercial establishments.

Referred to Committee on Commerce & Labor.

**HJM 8** by Representatives van Dyke, Brooks and Tilly

Requesting the elimination of the social security benefit disparity.

Referred to Committee on Social & Health Services.

**HJR 14** by Representatives Schoon, P. King, Long, Cole, Walker, Leonard, Taylor, Brough, Holland, Hankins, Allen, Barrett, Winsley, Miller and Silver

Providing for a simple majority for school levies.

Referred to Committee on Education.

**HJR 15** by Representatives Hastings, Schoon, Isaacson and Hankins

Requiring geographical distribution of initiative and referendum petition signers.

Referred to Committee on Constitution, Elections & Ethics.

**HJR 16** by Representatives Fuhrman, B. Williams, Schoon, Tilly, van Dyke, Sanders, Van Luven, Dobbs, Isaacson, Thomas, Nealey, Chandler and Patrick

Establishing provisions relating to state government fiscal responsibility.

Referred to Committee on Ways & Means.

**HCR 4** by Representatives J. King, Barrett and Hankins

Calling a joint session to hold a memorial service for deceased former legislators.

Referred to Committee on Rules.

SB 3092 by Senators Talmadge, Newhouse, Halsan, Hayner and Metcalf

Revising the jurisdiction of the judicial qualifications commission.

Referred to Committee on Judiciary.

MOTION

On motion of Mr. J. King, the bills, memorials and resolutions listed on today's agenda under the fourth order of business were considered first reading and referred to the committees designated.

REPORTS OF STANDING COMMITTEES

January 30, 1985

HB 49 Prime Sponsor, Representative Sayan: Broadening the state's duty to pay prorated election costs. Reported by Committee on Rules

Referred to Committee on Ways & Means.

January 30, 1985

HB 52 Prime Sponsor, Representative Niemi: Revising provisions relating to the human rights commission. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Belcher, Chair; Peery, Vice Chair; Baugher, Brooks, Fuhrman, Hankins, O'Brien, Sanders, Taylor, Todd, van Dyke, Vekich and Walk.

Passed to Committee on Rules for second reading.

January 30, 1985

HB 53 Prime Sponsor, Representative Belcher: Reauthorizing the Center for Voluntary Action. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Belcher, Chair; Peery, Vice Chair; Baugher, Brooks, Fuhrman, Hankins, Sanders, Taylor, Todd, van Dyke, Vekich and Walk.

Absent: Representative O'Brien.

Passed to Committee on Rules for second reading.

January 30, 1985

HB 73 Prime Sponsor, Representative Kremen: Permitting designees of certain agency directors to serve on the commission on equipment. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Baugher, Betrozoff, Bond, Brough, Fisch, Fisher, Gallagher, Hankins, Haugen, Kremen, Patrick, Prince, Schmidt, C. Smith, Sutherland, Thomas, Valle, Van Luven, J. Williams, K. Wilson and Zellinsky.

Absent: Representatives Wineberry, Vice Chair; Lundquist, McMullen and Tanner.

Passed to Committee on Rules for second reading.

January 30, 1985

HB 77 Prime Sponsor, Representative Walk: Removing the performance requirements for high-speed passenger ferries from the 1977 bond authorization. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Baugher, Betrozoff, Bond, Brough, Fisch, Fisher, Gallagher, Hankins, Haugen, Kremen, Patrick, Prince, Schmidt, C. Smith, Sutherland, Thomas, Valle, Van Luven, J. Williams, K. Wilson and Zellinsky.

Absent: Representatives Wineberry, Vice Chair; Lundquist, McMullen and Tanner.

Passed to Committee on Rules for second reading.

January 30, 1985

HB 80 Prime Sponsor, Representative Walk: Updating state highway routes. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Baugher, Brough, Fisch, Gallagher, Hankins, Haugen, Kremen, Patrick, Schmidt, C. Smith, Sutherland, Thomas, Valle, Van Luven, J. Williams and Zellinsky.

Absent: Representatives Wineberry, Vice Chair; Lundquist, McMullen and Tanner.

Passed to Committee on Rules for second reading.

January 30, 1985

HB 86 Prime Sponsor, Representative Walk: Directing civil service exemption for certain positions within the department of transportation. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Belcher, Chair; Peery, Vice Chair; Baugher, Brooks, Fuhrman, Hankins, O'Brien, Sanders, Taylor, Todd, van Dyke, Vekich and Walk.

Passed to Committee on Rules for second reading.

January 29, 1985

HB 109 Prime Sponsor, Representative Brekke: Revising population limitations in juvenile residential facilities. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass. Signed by Representatives Brekke, Chair; Day, Vice Chair; Armstrong, Ballard, Braddock, Brooks, Leonard, Lewis, Lux, Padden, Scott, Tanner and Winsley

Absent: Representatives Dellwo, Dobbs, West and B. Williams.

Passed to Committee on Rules for second reading.

January 30, 1985

HB 111 Prime Sponsor, Representative Brekke: Continuing respite care demonstration projects. Reported by Committee on Social & Health Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Brekke, Chair; Day, Vice Chair; Armstrong, Braddock, Brooks, Dobbs, Leonard, Lewis, Lux, Padden, Scott, Tanner and Winsley.

Absent: Representatives Ballard, Dellwo, West and B. Williams.

Passed to Committee on Rules for second reading.

January 30, 1985

HB 178 Prime Sponsor, Representative Belcher: Establishing the Washington state internship program. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Belcher, Chair; Peery, Vice Chair; Baugher, Brooks, Fuhrman, Hankins, O'Brien, Sanders, Taylor, Todd, van Dyke, Vekich and Walk.

Absent: Representative O'Brien.

Passed to Committee on Rules for second reading.

January 29, 1985

HB 181 Prime Sponsor, Representative Brekke: Extending state coordination of sexual assault programs. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass with the following amendment:  
On page 1, after line 15 insert the following:

"NEW SECTION. Sec. 2. The department may distribute financial assistance to rape crisis centers to supplement crisis, advocacy, and counseling services provided directly to victims."

Renumber the remaining sections consecutively.

Signed by Representatives Brekke, Chair; Day, Vice Chair; Armstrong, Ballard, Braddock, Brooks, Leonard, Lewis, Lux, Padden, Scott, Tanner and Winsley.

Absent: Representatives Dellwo, Dobbs, West and B. Williams.

Passed to Committee on Rules for second reading. January 29, 1985

HB 199 Prime Sponsor, Representative R. King: Modifying provisions relating to farm labor contractors. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Betzoff, Ebersole, Fisch, Fisher, R. King, O'Brien, Patrick, Sayan, Walker and J. Williams.

Voting nay: Representatives Chandler and C. Smith.

Passed to Committee on Rules for second reading.

January 30, 1985

HB 386 Prime Sponsor, Representative Grimm: Adopting the supplemental budget. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Brekke, Bristow, Hastings, Hine, J. King, Locke, Long, Madsen, Niemi, Rust, L. Smith, Sayan, Silver, Smitherman, Sommers, Taylor, Tilly and Vander Stoep.

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

Voting nay: Representatives Holland, G. Nelson, Sanders and B. Williams.

Passed to Committee on Rules for second reading.

#### SECOND READING

HOUSE BILL NO. 50, by Representatives Fisher, Armstrong, Brekke, Padden, Sayan, Baugher, Rayburn and Taylor; by Department of Social and Health Services request

Making certain reimbursements for social security assistance retroactive.

The bill was read the second time. On motion of Mr. Armstrong, Substitute House Bill No. 50 was substitute for House Bill No. 50, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 50 was read the second time.

Mr. G. Nelson moved adoption of the following amendment:  
On page 1, line 9 after "after" strike "May 10" and insert "August 23"

Representatives G. Nelson and Armstrong spoke in favor of the amendment, and it was adopted.

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

HOUSE BILL NO. 54, by Representatives Armstrong, Representatives D. Nelson, Van Loven, Jacobsen, Nealey, Long, Sutherland, Lundquist, Gallagher and Wang

Defining the tort liability of operators of radioactive waste repositories.

The bill was read the second time. Committee on Energy & Utilities recommendation: Majority, do pass as amended. (For amendments, see Journal, 15th Day, January 28, 1985.)

Mr. D. Nelson moved adoption of the committee amendment to page 1, line 8. Representatives D. Nelson and Isaacson spoke in favor of the amendment, and it was adopted.

On motion of Mr. D. Nelson, the committee amendments to page 1, lines 25 and 29 were adopted.

#### MOTION

Mr. Padden moved that House Bill No. 54 be rereferred to Committee on Judiciary.

Mr. Padden spoke in favor of the motion, and Mr. J. King spoke against it.

Mr. Padden spoke again in favor of the motion.

The motion was not carried.

On motion of Mr. D. Nelson, the committee amendments to page 2, line 1, line 3 and line 7 were adopted.

Mr. D. Nelson moved adoption of the committee amendment to page 2, line 20. Representatives D. Nelson and Isaacson spoke in favor of the amendment, and it was adopted.

Mr. Isaacson moved adoption of the following amendment:

On page 2, beginning on line 18 strike all of subsection (2).

Renumber the remaining subsections consecutively.

Representatives Isaacson and Allen spoke in favor of the amendment, and Representatives Armstrong and Locke spoke against it.

Mr. Isaacson spoke again in favor of the amendment, and Mr. Armstrong again opposed it.

#### POINT OF INQUIRY

Mr. Locke yielded to question by Mr. Barnes.

Mr. Barnes: "Representative Locke, we may run into this 'presumption of guilt' or liability in another bill that is coming up later. I think perhaps myself and several other members who are not too cognizant of these legal matters may be helped in our decisions if we knew the answer to my question: If there is an inherent danger in transporting waste, (I'm using that as an example; it would apply in general to other things) and if something were to happen and it was nobody's fault—an act of God—and there were some damages caused, who would then, under 'presumption of guilt,' be liable?"

Mr. Locke: "When you say it's an act of God, and you say it's not the fault of the operator, then the operator would not be liable."

Mr. Barnes: "Then in case there is an inherent danger in the transportation, the operator or the people using or providing the service, could not be held liable under this presumptive context?"

Mr. Locke: "If there is only a presumption and that presumption is rebutted by the operator, indicating as is stated in the language,—it says, '...the presumption may be rebutted by a clear and convincing showing by the operator that the nuclear incident was not the result of the operator's negligence and that the operator's negligence was not an actual cause of the nuclear incident.' So if you show that it was an act of God or was the result of someone else and that it was through no control of the operator, and he was not the actual cause of the incident, that operator is not liable just because an incident occurs or an accident occurs."

#### POINT OF INQUIRY

Mr. Locke yielded to question by Mr. Hastings.

Mr. Hastings: "Representative Locke, I'm probably going someplace, and I'm not sure where it's heading because I'm not an attorney either, but part of our arguments to differentiate (and let me use laymen's terms) 'guilty until proven innocent' was the difference between criminal law and civil law. In subsection (2) there is a glaring statement that stands out and the statement is 'clear and convincing.' If I were, in laymen's terms, to turn that around, a person is presumed guilty until he can clearly and convincingly prove his innocence. My question to you is: In criminal law is the reverse true, you are innocent until proven guilty?"

Does the criminal law state 'clear and convincing'? What are the terms that we use in that sense?"

Mr. Locke: "In criminal law the burden is much, much higher. It's 'beyond a reasonable doubt.' 'Clear and convincing' is a much lower, lower standard, so that the person, the operator, does not have to use a higher standard in rebutting the evidence."

Mr. Hastings: "Are those phrases in law when you say difference is the weightedness on those phrases? 'Beyond all reasonable doubt' is much higher than 'clear and convincing'?"

Mr. Locke: "It's a judicial term, a legal term and universally accepted that 'beyond a reasonable doubt' is a very high burden, and 'clear and convincing' is a much lower burden. That's been defined in case law and is universally accepted throughout the United States. It is judicial language."

#### MOTION

Mr. Barrett moved that House Bill No. 54 be rereferred to Committee on Judiciary.

Mr. Barrett spoke in favor of the motion, and Mr. J. King opposed it.

The motion was lost.

The Speaker stated the question before the House to be the amendment by Representative Isaacson.

Mr. Schoon spoke in favor of the amendment, and Mr. Sutherland spoke against it.

The amendment was not adopted.

House Bill No. 54 was ordered engrossed and passed to Committee on Rules for second reading.

HOUSE BILL NO. 2, by Representative Belcher

Government employee exchange program.

The bill was read the second time. On motion of Mr. Peery, Substitute House Bill No. 2 was substituted for House Bill No. 2, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 2 was read the second time and passed to Committee on Rules for third reading.

The Speaker assumed the Chair.

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

#### SIGNED BY THE SPEAKER

The Speaker announced he was signing:  
SENATE BILL NO. 3065.

#### THIRD READING

SENATE CONCURRENT RESOLUTION NO. 107, by Senators Goltz, Talmadge and Vognild

Establishing Joint Legislative Rules.

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

Mr. J. King spoke in favor of the resolution and Mr. Barrett spoke against it.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Lux: "Mr. Speaker, I hate to get involved in sticky business; it's not my nature to do this, but I see in Rule 6 there is some wording scratched out about meetings and it now allows that the conference committee can confer. My point is, are conference committees open to the public or is it at the discretion of the

Speaker, the President of the Senate, the Chair of the Committee, or who makes the determination whether my constituents can sit in or not?"

#### SPEAKER'S REPLY

The Speaker: "It has been the practice of this body for a long time, Representative Lux, to let the majority of the people on the conference committee make that decision. I know when I was Chair of State Government Committee, that I did open up the preconference committee to the general public and the press, but it is a majority decision of the committee. On a number of cases those conferences have been open; other times they have chosen not to."

#### ROLL CALL

The Clerk called the roll on the adoption of Senate Concurrent Resolution No. 107, and the resolution was adopted by the following vote: Yeas, 51; nays, 44; excused, 3.

Voting yea: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Zellinsky, and Mr. Speaker - 51.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, Van Dyke, Van Luvan, Vander Stoep, Walker, Williams B, Williams J, Wilson S, Winsley - 44.

Excused: Representatives Tanner, West, Wineberry - 3.

Senate Concurrent Resolution No. 107, having received the constitutional majority, was declared adopted.

#### MOTIONS

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

On motion of Mr. J. King, HOUSE BILL NO. 304 was rereferred from Committee on Energy & Utilities to Committee on Local Government; HOUSE BILL NO. 343 was rereferred from Committee on Environmental Affairs to Committee on Energy & Utilities; and HOUSE BILL NO. 361 was rereferred from Committee on Education to Committee on Commerce & Labor.

#### MOTION

On motion of Mr. J. King, the House adjourned until 11:00 a.m., Monday, February 4, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk



## TWENTY-SECOND DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Monday, February 4, 1985

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Bond, P. King, Kremen, McMullen, Niemi and West. Representatives Bond, Kremen, McMullen, Niemi and West were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Christopher White and Tony Smart. Prayer was offered by Reverend Avery Finger of the Evangel Temple, Church of God in Olympia.

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

## INTRODUCTIONS AND FIRST READING

HB 467 by Representatives Day, Barrett, Brekke, Dellwo, Unsoeld, Lewis, Grimm, Belcher, Tanner and Taylor

AN ACT Relating to a deaf-blind service center; adding a new chapter to Title 70 RCW; creating a new section; providing an expiration date; making an appropriation; and declaring an emergency.

Referred to Committee on Social & Health Services.

HB 468 by Representatives Niemi, Winsley, Belcher, Lux, R. King, Unsoeld, Hine, D. Nelson, Jacobsen and Leonard

AN ACT Relating to occupational safeguards for operators of video display terminals; adding a new chapter to Title 49 RCW; and prescribing penalties.

Referred to Committee on Commerce & Labor.

HB 469 by Representatives Lux, Lewis, Leonard, Armstrong, Hine, Barrett and Unsoeld

AN ACT Relating to naturopathic medicine; amending RCW 18.36.010 and 18.36.060; and repealing RCW 18.36.020.

Referred to Committee on Social & Health Services.

HB 470 by Representatives Brekke, Leonard, Ballard, Lux, Armstrong, Sayan, Braddock, Tanner and Taylor

AN ACT Relating to counselors, social workers, mental health counselors, and marriage and family counselors; amending RCW 18.130.040 and 26.44.030; reenacting and amending RCW 18.120.020; adding a new chapter to Title 18 RCW; and making an appropriation.

Referred to Committee on Social & Health Services.

HB 471 by Representatives Bristow, Madsen, Hastings, Braddock, Fisher, Sayan, Unsoeld, Nealey, Miller, Fuhrman and Ballard

AN ACT Relating to the state conservation commission; creating new sections; and making an appropriation.

Referred to Committee on Agriculture.

HB 472 by Representatives Zellinsky, Barrett, Nutley, Prince, J. Williams and Ballard

AN ACT Relating to financial institution credit cards; and adding a new section to chapter 19.52 RCW.

Referred to Committee on Financial Institutions & Insurance.

HB 473 by Representatives Niemi, Lewis, Locke, Allen, Wang, Jacobsen, Smitherman, Armstrong, J. King, Appelwick, Sayan, Brekke, Fisher, Belcher, Brough, Cole, D. Nelson, Sommers, Grimm, Unsoeld, Leonard, Lux, Ebersole, Addison, Winsley, May, Holland, Tanner and Wineberry

AN ACT Relating to malicious harassment; and amending RCW 9A.36.080.

Referred to Committee on Judiciary.

HB 474 by Representatives Locke, Allen, Armstrong, Wang, Brough, Niemi, Wineberry, Brekke, Sommers, Cole, Fisher, Leonard, D. Nelson, Jacobsen, Unsoeld, Grimm, Lux, Appelwick, Belcher, Smitherman and J. King

AN ACT Relating to unlawful discrimination based on sexual orientation in employment, housing, public accommodations, credit, insurance, and commercial transactions; and amending RCW 48.30.300, 49.60.010, 49.60.020, 49.60.030, 49.60.040, 49.60.120, 49.60.130, 49.60.175, 49.60.176, 49.60.178, 49.60.180, 49.60.190, 49.60.200, 49.60.215, 49.60.222, 49.60.223, 49.60.224, and 49.60.225.

Referred to Committee on Judiciary.

HB 475 by Representatives Appelwick and McMullen

AN ACT Relating to mandatory arbitration; and amending RCW 7.06.020.

Referred to Committee on Judiciary.

HB 476 by Representatives Appelwick, McMullen and Niemi

AN ACT Relating to contributory fault; and amending RCW 4.22.060.

Referred to Committee on Judiciary.

HB 477 by Representatives Appelwick, Jacobsen, McMullen, Niemi, Wang, Addison, J. Williams, Ballard and Holland

AN ACT Relating to interest on unpaid contracts; and amending RCW 39.76.010.

Referred to Committee on Commerce & Labor.

HB 478 by Representatives Appelwick, Jacobsen, Niemi, Wang, G. Nelson, Lewis, Patrick, Schoon, May, Brough, Tanner, Taylor and Long

AN ACT Relating to excise taxes; amending RCW 82.08.0283 and 82.12.0277; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 479 by Representatives Appelwick, Jacobsen, Hargrove, Schoon, May and Taylor

AN ACT Relating to disabled persons; and amending RCW 43.51.055 and 77.32.230.

Referred to Committee on Natural Resources.

HB 480 by Representatives Appelwick, Niemi, Locke, Sommers, Brekke, Rust, Hine and Wineberry

AN ACT Relating to the taxation of improvements; and amending RCW 82.29A.160.

Referred to Committee on Ways & Means.

HB 481 by Representatives Brekke, Ballard and Lewis; by Department of Licensing request

AN ACT Relating to the department of licensing; and adding a new section to chapter 43.24 RCW.

Referred to Committee on Social & Health Services.

HB 482 by Representatives Brekke, Ballard and Lewis; by Department of Licensing request

AN ACT Relating to health care assistants; adding a new section to chapter 18.135 RCW; and making an appropriation.

Referred to Committee on Social & Health Services.

**HB 483** by Representatives Appelwick and Wineberry

AN ACT Relating to providing for prompt judicial review of governmental actions relating to the use of public facilities when First Amendment rights are affected; amending RCW 7.16.160; adding a new section to chapter 7.16 RCW; and creating a new section.

Referred to Committee on Judiciary.

**HB 484** by Representatives Basich, Sayan, Fisch, Hargrove, Lundquist, Vekich and Kremen

AN ACT Relating to initial deposits and advance payments for timber and other materials sold from state lands; and amending RCW 79.01.132.

Referred to Committee on Natural Resources.

**HB 485** by Representatives Basich and Sayan

AN ACT Relating to state employees; and adding a new section to chapter 72.01 RCW.

Referred to Committee on State Government.

**HB 486** by Representatives Valle, Allen and Rust

AN ACT Relating to solid waste management; and adding a new section to chapter 70.95 RCW.

Referred to Committee on Environmental Affairs.

**HB 487** by Representatives Rust and Valle

AN ACT Relating to physical education in high schools; and amending RCW 28A.05.040.

Referred to Committee on Education.

**HB 488** by Representatives Brekke, Lux, Valle, Rust and D. Nelson

AN ACT Relating to solid waste; and adding a new section to chapter 70.95 RCW.

Referred to Committee on Environmental Affairs.

**HB 489** by Representatives McMullen, Thomas, Braddock, Lundquist, Kremen and Tanner

AN ACT Relating to private activity bonds; adding a new chapter to Title 39 RCW; and creating a new section.

Referred to Committee on Trade & Economic Development.

**HB 490** by Representatives Walk, Schmidt, Van Luven, Wineberry, Gallagher and J. Williams; by Governor's request

AN ACT Relating to transportation; amending section 15, chapter 53, Laws of 1983 1st ex. sess. (uncodified); amending section 20, chapter 53, Laws of 1983 1st ex. sess. (uncodified); amending section 21, chapter 53, Laws of 1983 1st ex. sess. as amended by section 3, chapter 2, Laws of 1984 (uncodified); adding new sections to chapter 53, Laws of 1983 1st ex. sess.; and declaring an emergency.

Referred to Committee on Transportation.

**HB 491** by Representatives Lewis, Appelwick, Walk, Vander Stoep, Smitherman, Doty, Rayburn, Walker, Brooks, Allen, Miller, Winsley, May, Silver and Tanner

AN ACT Relating to early childhood education; creating new sections; and making an appropriation.

Referred to Committee on Education.

**HB 492** by Representatives Lewis, Brekke, Padden, Scott, Dobbs, Thomas, Isaacson, Dellwo, Barnes, Smitherman, Hankins, Day, Walker, Tilly, Allen, Leonard, Hastings, K. Wilson, van Dyke, Braddock, G. Nelson, S. Wilson, B. Williams, Ballard, Winsley, May, Brough Holland, Silver, Tanner and Long

AN ACT Relating to child abuse and neglect proceedings; adding new sections to chapter 26.44 RCW; and creating a new section.

Referred to Committee on Social & Health Services.

HB 493 by Representatives Valle, Todd, Jacobsen, Leonard, Barnes, Ebersole, Cole, Rust, Crane, Appelwick, Braddock, D. Nelson and Miller

AN ACT Relating to seismic safety; adding a new chapter to Title 43 RCW; and providing an expiration date.

Referred to Committee on State Government.

HB 494 by Representatives Sommers, G. Nelson, Grimm, Niemi, Vander Stoep, Hastings, Braddock, Miller and K. Wilson

AN ACT Relating to Washington State University and Eastern Washington University; adding new sections to chapter 28B.30 RCW; adding new sections to chapter 28B.35 RCW; adding a new chapter to Title 28B RCW; creating new sections; repealing RCW 28B.30.100, 28B.30.125, 28B.30.135, 28B.30.140, and 28B.30.150; and providing an effective date.

Referred to Committee on Higher Education.

HB 495 by Representatives Dellwo, Armstrong, Lewis, Scott, Tilly, Locke, Niemi, Lux, Hargrove and Belcher

AN ACT Relating to the health, safety, and welfare of the confederated tribes of the Colville reservation; authorizing retrocession of jurisdiction over Indian lands; and adding new sections to chapter 37.12 RCW.

Referred to Committee on Judiciary.

HB 496 by Representatives Sanders, Haugen, May, Zellinsky, Patrick, Barrett, B. Williams, van Dyke, Schoon, J. Williams, Thomas, Van Luven, Betzoff, Lewis, Brough, Padden, Chandler, G. Nelson, Bond, Fuhrman, Isaacson, L. Smith, Barnes, Hastings, Tilly, Addison, C. Smith, Miller, Ballard, Silver and Taylor

AN ACT Relating to business and occupation taxes; amending RCW 82.04.300 and 82.32.045; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 497 by Representatives L. Smith, Lundquist, Padden, Bond, Isaacson, J. Williams and Fuhrman

AN ACT Relating to excise taxes; amending RCW 82.08.050 and 82.08.010; and repealing RCW 82.08.120.

Referred to Committee on Ways & Means.

HJM 9 by Representatives Wang, Locke, Belcher, Brough and Wineberry

Petitioning Congress to enact legislation to provide financial assistance to Japanese-Americans who were relocated during World War II.

Referred to Committee on Rules.

HJM 10 by Representatives Valle, Brough, Rust, Allen, Unsoeld, Jacobsen, D. Nelson, Holland and Long

Urging Congress to prohibit smoking in federal buildings except in designated areas.

Referred to Committee on Social & Health Services.

HJR 17 by Representatives Dellwo, Vander Stoep, Braddock, Prince, Belcher, C. Smith and Silver

Authorizing public land permanent funds to be invested.

Referred to Committee on Ways & Means.

HJR 18 by Representatives Locke, Fisher, Allen, Jacobsen, Unsoeld, Cole, Brough, Niemi, Ebersole, Gallagher, Wang, Fisch, Belcher, Leonard, Holland, Wineberry and Hine

Ratifying the U.S. constitutional amendment giving voting rights to the District of Columbia.

Referred to Committee on Constitution, Elections & Ethics.

HJR 19 by Representatives Tilly, Sommers, B. Williams, Grimm, Silver, Braddock, Patrick, Wang, Lewis, Barnes, Isaacson, C. Smith, Ballard, Schoon, May and Sanders

Requiring funding of retirement benefit increases.

Referred to Committee on Ways & Means.

#### MOTION

On motion of Mr. J. King, the bills, memorials and resolutions listed on today's agenda under the fourth order of business were considered first reading and referred to the committees designated.

#### REPORTS OF STANDING COMMITTEES

January 31, 1985

HB 3 Prime Sponsor, Representative Sutherland: Providing for protection from radiation. Reported by Committee on Energy & Utilities

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong, Jacobsen, Long, Madsen, Sutherland and Unsoeld.

MINORITY recommendation: Do not pass. Signed by Representatives Bond, Gallagher, Isaacson, Miller, Nealey and Van Luven.

Voting nay: Representatives Barnes, Bond, Gallagher, Isaacson, Miller, Nealey and Van Luven.

Passed to Committee on Rules for second reading.

January 31, 1985

HB 78 Prime Sponsor, Representative Schmidt: Authorizing fees for parking in state ferry facilities. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Baugher, Betrozoff, Bond, Gallagher, Hankins, Haugen, Lundquist, Patrick, Prince, Schmidt, C. Smith, Van Luven, J. Williams, K. Wilson and Zellinsky.

Voting nay: Representatives Fisch, Fisher, Kremen, Thomas and Valle.

Absent: Representatives Wineberry, Vice Chair; Baugher, Brough, McMullen, Sutherland, Tanner and Van Luven.

Passed to Committee on Rules for second reading.

January 31, 1985

HB 91 Prime Sponsor, Representative Sutherland: Providing a public benefit system for approving for classification and valuing open space land with no current use. Reported by Committee on Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Basich, Belcher, Cole, Hankins, Hargrove, Leonard, Lundquist, D. Nelson, Sanders and Thomas.

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

Voting nay: Representatives Fuhrman and van Dyke.

Absent: Representatives Dobbs, Haugen, McMullen, Sanders, Sayan, J. Williams and S. Wilson.

Passed to Committee on Rules for second reading.

February 1, 1985

HB 111 Prime Sponsor, Representative Brekke: Continuing respite care demonstration projects. Reported by Committee on Rules

Referred to Committee on Ways &amp; Means. January 31, 1985

HB 137 Prime Sponsor, Representative C. Smith: Permitting freight compartments on truck tractors. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walk, Chair; Baugher, Betzoff, Bond, Brough, Fisch, Fisher, Gallagher, Hankins, Haugen, Kremen, Lundquist, Patrick, Prince, Schmidt, C. Smith, Thomas, Valle, Van Luven, J. Williams, K. Wilson and Zellinsky.

Absent: Representatives Wineberry, Vice Chair; Baugher, McMullen, Sutherland, Tanner and Van Luven.

Passed to Committee on Rules for second reading.

February 1, 1985

HB 139 Prime Sponsor, Representative Locke: Authorizing cities to be responsible for enforcement of uniform fire code in air navigation facilities. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Allen, Bristow, Brough, Doty, Ebersole, Hine, Isaacson, May, Rayburn, Smitherman, Winsley and Zellinsky.

Absent: Representative Patrick.

Passed to Committee on Rules for second reading.

January 31, 1985

HB 144 Prime Sponsor, Representative Unsoeld: Reestablishing procedures for the formation of joint operating agencies. Reported by Committee on Energy & Utilities

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong, Barnes, Jacobsen, Long, Madsen and Unsoeld.

Voting nay: Representatives Bond, Isaacson, Miller, Nealey, Sutherland and Van Luven.

Passed to Committee on Rules for second reading.

January 31, 1985

HB 145 Prime Sponsor, Representative D. Nelson: Redefining powers of joint operating agencies and their members. Reported by Committee on Energy & Utilities

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong, Jacobsen, Madsen, Miller, Sutherland and Unsoeld.

Voting nay: Representatives Barnes, Bond, Gallagher, Isaacson, Long, Nealey and Van Luven.

Passed to Committee on Rules for second reading.

#### MOTION

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

#### THIRD READING

ENGROSSED HOUSE BILL NO. 55, by Representatives D. Nelson, Rust, Miller, Van Luven, Jacobsen, Nealey, Long, Sutherland, Valle, Gallagher, P. King and Unsoeld

Providing for a study of the transportation of radioactive materials.

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

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

## POINT OF ORDER

Mr. Isaacson: "On second reading I raised the question that since this was going to cost some money it should have a fiscal note. Again, I do not see any information in my book relative to a fiscal note. Obviously we can't undertake a study without it costing somebody something. I would refer this matter to Ways & Means for the purpose of determining the cost of this study that's being proposed."

## SPEAKER'S RULING

The Speaker: "Representative Isaacson, I would call your attention to the rules which refer to the fact, Rule 25(6): 'All bills having a direct negative revenue impact or a direct appropriation of fifty thousand dollars or more shall be referred to the committee on ways and means or transportation committee as appropriate before their final passage.' My reading of the bill has neither, Representative Isaacson."

Mr. Isaacson spoke against passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 55, and the bill passed the House by the following vote: Yeas, 83; nays, 9; absent, 1; excused, 5.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Basich, Belcher, Betzoff, Braddock, Brekke, Bristow, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Holland, Jacobsen, King J, King R, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, Miller, Nelson D, Nelson G, Nutley, O'Brien, Padden, Patrick, Peery, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 83.

Voting nay: Representatives Barnes, Baugher, Brooks, Fuhrman, Hankins, Hastings, Isaacson, Nealey, Prince - 9.

Absent: Representative King P - 1.

Excused: Representatives Bond, Kremen, McMullen, Niemi, West - 5.

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 SUBSTITUTE HOUSE BILL NO. 50, by Committee on Judiciary (originally sponsored by Representatives Fisher, Armstrong, Brekke, Padden, Sayan, Baugher, Rayburn and Taylor; by Department of Social and Health Services request)

Making certain reimbursements for social security assistance retroactive.

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

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

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 50, and the bill passed the House by the following vote: Yeas, 92; absent, 1; excused, 5.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King R, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, Miller, Nealey, Nelson D, Nelson G, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 92.

Absent: Representative King P - 1.

Excused: Representatives Bond, Kremen, McMullen, Niemi, West - 5.

Engrossed Substitute 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.

Representatives Kremen and McMullen appeared at the bar of the House.

#### MOTION

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

#### SECOND READING

HOUSE BILL NO. 27, by Representatives Haugen, Brough, Lundquist, P. King and Rayburn

Authorizing a reduction in councilmanic offices in certain code cities.

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

HOUSE BILL NO. 28, by Representatives Haugen, Brough, P. King, Crane and Rayburn

Authorizing biennial municipal budgets.

The bill was read the second time. On motion of Ms. Haugen, Substitute House Bill No. 28 was substituted for House Bill No. 28, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 28 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 46, by Representatives Armstrong and Kremen

Clarifying the intent of the consumer protection act.

The bill was read the second time. On motion of Mr. Armstrong, Substitute House Bill No. 46 was substituted for House Bill No. 46, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 46 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 155, by Representative P. King

Changing requirements relating to notaries.

The bill was read the second time. On motion of Mr. Armstrong, Substitute House Bill No. 155 was substituted for House Bill No. 155 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 155 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 175, by Representatives Belcher, Hankins, Unsoeld, Allen, Baugher, Todd, Dellwo, Niemi, Smitherman, Peery, Locke, Leonard, K. Wilson, Prince, Lewis, Sayan, P. King, B. Williams, Schoon and Addison; by Department of Personnel request

Extending the career executive program.

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

HOUSE BILL NO. 4, by Representatives Rayburn and Baugher

Changing requirements for the removal of county seats.

The bill was read the second time. On motion of Ms. Haugen, Substitute House Bill No. 4 was substituted for House Bill No. 4, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 4 was read the second time.

Ms. Brough moved adoption of the following amendment:



Beginning on page 1, line 22 strike all of section 2 and renumber the remaining section consecutively.

Representatives Brough and Patrick spoke in favor of the amendment, and Representative Haugen spoke against it.

Ms. Silver demanded an electric roll call vote and the demand was sustained.

Representatives Rayburn and Hine spoke against the amendment, and Representatives Padden and Isaacson spoke in favor of it.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Lewis: "Mr. Speaker, in reading the State Constitution, Article XI, section 2, 'County seats--' it says, '...A proposition of removal shall not be submitted in the same county more than once in four years.' I see the language in the proposed bill without the amendment is eight years. Under Article XXIII on how amendments to the Constitution are made, my inquiry is, will it take two-thirds of the members present to pass a bill for this amendment? If so, will this measure have to be submitted for a vote of the people since we are changing the Constitution?"

#### SPEAKER'S RULING

The Speaker: "Representative Lewis, the Constitution indicates no more than four years. It is a precedent in this House, this body, that we can be more restrictive than that; we cannot be any less restrictive than that. So it does not take a two-thirds vote."

Ms. Brough spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Brough to Substitute House Bill No. 4, and the amendment was not adopted by the following vote: Yeas, 44; nays, 50; absent, 1; excused, 3.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Brooks, Brough, Chandler, Dobbs, Doty, Fisher, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, May, Miller, Nealey, Nelson D, Nelson G, Padden, Patrick, Prince, Rust, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, Williams B, Williams J, Wilson S - 44.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King R, Kremen, Leonard, Locke, Lundquist, Lux, Madsen, McMullen, Nutley, O'Brien, Peery, Rayburn, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 50.

Absent: Representative King P - 1.

Excused: Representatives Bond, Niemi, West - 3.

The Clerk read the following amendment by Representative Brough: Beginning on page 1, line 28 strike all of section 3.

With the consent of the House, Ms. Brough withdrew the amendment.

Substitute House Bill No. 4 was passed to Committee on Rules for third reading.

#### MOTION

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

#### RESOLUTION

HOUSE FLOOR RESOLUTION NO. 85-12, by Representatives Locke, Brooks, Belcher, Sommers, Miller, Armstrong, Rust, D. Nelson, Brekke, Addison, Allen, Appelwick, Ballard, Barnes, Barrett, Basich, Baugher, Betzoff, Bond, Braddock, Bristow, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Ehlers, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, J. King, P. King, R. King, Kremen, Lewis, Leonard, Long, Lundquist, Lux, Madsen, May, McMullen, Nealey, G. Nelson, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, C. Smith, L. Smith, Smitherman, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Vander Stoep, van Dyke, Van Luven, Vekich,

Walk, Walker, Wang, West, B. Williams, J. Williams, K. Wilson, S. Wilson, Wineberry, Winsley and Zellinsky

WHEREAS, The reputation of an institution of higher education and its colleges and schools depends upon the quality of that institution's programs as acknowledged by other professionals in the field, educators, administrators, students and beneficiaries of the programs developed; and

WHEREAS, The deans of all accredited nursing schools in the United States and a random sampling of nurse researchers have been polled to determine which nursing schools have the best reputation and highest ranking among the groups polled; and

WHEREAS, The results of the poll, published in the September/October issue of "Nursing Outlook," lists the University of Washington School of Nursing as the Number One Nursing School in the United States; and

WHEREAS, The Washington State House of Representatives is dedicated to the support of higher education and appreciative of the excellence demonstrated by the University of Washington School of Nursing;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives joins with the Washington State Nurses Association, the Washington State Medical Association, the Washington State Hospital Association, Children's Orthopedic Hospital and Medical Center, and various local and national news and professional publications in congratulating the University of Washington School of Nursing on its highest possible ranking; and

BE IT FURTHER RESOLVED, That the Washington State House of Representatives joins with William P. Gerberding, President of the University of Washington, in congratulating Dr. Rheba de Tornyay, Dean of the School of Nursing on the excellence of academic and research programs developed during her tenure which have led to the school's number one national rating; and

BE IT FURTHER RESOLVED, That the Washington State House of Representatives joins with Dean de Tornyay in congratulating and expressing its appreciation for the many accomplishments of the school's faculty leading to the national reputation of the University of Washington School of Nursing; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives immediately transmit copies of this Resolution to President Gerberding, Dean de Tornyay and the faculty of the University of Washington School of Nursing.

Mr. Locke moved adoption of the resolution. Representatives Locke, Brooks, Rust, Barrett and Taylor spoke in favor of the resolution.

House Resolution No. 85-12 was adopted.

#### MOTION

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

#### SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 4, by Representatives J. King, Barrett and Hankins

Calling a joint session to hold a memorial service for deceased former legislators.

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

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

#### MOTION

On motion of Mr. J. King, the House adjourned until 11:00 a.m., Wednesday, February 6, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk

## TWENTY-FOURTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, February 6, 1985

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representative Bond, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Pages Travis Carter and Georgene Holliday. Prayer was offered by Reverend Avery Finger of the Evangel Temple, Church of God in Olympia.

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

## MESSAGES FROM THE SENATE

February 4, 1985

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3001,  
ENGROSSED SENATE BILL NO. 3098,  
SENATE BILL NO. 3144,  
SENATE BILL NO. 3173,  
SENATE BILL NO. 3178,  
SENATE BILL NO. 3225,  
SENATE BILL NO. 3286,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary

February 4, 1985

Mr. Speaker:

The President has signed:

SENATE CONCURRENT RESOLUTION NO. 107,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

February 5, 1985

Mr. Speaker:

The Senate has passed:

HOUSE CONCURRENT RESOLUTION NO. 4,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 3012,  
ENGROSSED SENATE BILL NO. 3111,  
SUBSTITUTE SENATE BILL NO. 3131,  
ENGROSSED SENATE BILL NO. 3172,  
SENATE BILL NO. 3204,  
SENATE BILL NO. 3406,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE CONCURRENT RESOLUTION NO. 4,  
SENATE CONCURRENT RESOLUTION NO. 107.

## APPOINTMENT TO SPECIAL COMMITTEE

The Speaker appointed the following members to serve on the committee for the Memorial Service: Representatives O'Brien, Chair; Haugen, Tilly and Winsley.

## INTRODUCTIONS AND FIRST READING

- HB 498** by Representatives Dellwo, Silver, Zellinsky, R. King, G. Nelson, Barrett, P. King and Winsley  
 AN ACT Relating to the establishment of annual class I licenses; and amending RCW 66.24.490.  
 Referred to Committee on Commerce & Labor.
- HB 499** by Representatives Dellwo, Silver, Zellinsky, Barrett, R. King, P. King and Winsley.  
 AN ACT Relating to alcoholic beverages; and amending RCW 66.28.010.  
 Referred to Committee on Commerce & Labor.
- HB 500** by Representatives Brekke, Lewis, Braddock and Ballard; by Department of Social and Health Services request  
 AN ACT Relating to medical care programs; amending RCW 74.09.035, 74.09.510, 74.09.520, 74.09.700; declaring an emergency; and providing an effective date.  
 Referred to Committee on Social & Health Services.
- HB 501** by Representatives Schoon, Kremen, van Dyke, B. Williams, Crane, Nealey, Winsley, Smitherman, Bond, Patrick, May, Isaacson, L. Smith, Taylor, Dobbs, Thomas, Doty, Silver, Walker and Van Loven.  
 AN ACT Relating to international trade; adding a new chapter to Title 43 RCW; making an appropriation; and providing an expiration date.  
 Referred to Committee on Trade & Economic Development.
- HB 502** by Representatives Schoon, Crane, Winsley, Smitherman, Thomas, Sanders and Walker  
 AN ACT Relating to cigarette taxation; amending RCW 82.24.020; and providing an effective date.  
 Referred to Committee on Ways & Means.
- HB 503** by Representatives Schoon, Sanders, B. Williams, Nealey, Fuhrman, van Dyke, J. Williams, Brooks, May, Dobbs, Bond, L. Smith, Ballard and Thomas  
 AN ACT Relating to public contracts; amending RCW 49.28.020, 49.28.040; and repealing RCW 49.28.010.  
 Referred to Committee on Commerce & Labor.
- HB 504** by Representatives Winsley, Gallagher, Walk, Walker, Smitherman and Madsen  
 AN ACT Relating to enforcement of sewer assessments; and adding a new section to chapter 56.20 RCW.  
 Referred to Committee on Local Government.
- HB 505** by Representatives Wang, Patrick, R. King, Fisch and Grimm  
 AN ACT Relating to collective bargaining; amending RCW 41.56.030 and 41.56.950; and adding a new section to chapter 41.56 RCW.  
 Referred to Committee on Commerce & Labor.
- HB 506** by Representatives Jacobsen, Allen, Belcher, Miller, Braddock, Long, Valle, Brough, D. Nelson, Hine, Haugen, Cole, Rust, P. King, Niemi, Schmidt, Leonard, Winsley, Appelwick, Ebersole, R. King, Locke, O'Brien, McMullen, Fisch, Lux and Zellinsky  
 AN ACT Relating to Puget Sound; establishing a Puget Sound institute; adding a new chapter to Title 90 RCW; making an appropriation; and declaring an emergency.  
 Referred to the Select Committee on the Clean-up and Management of Puget Sound.
- HB 507** by Representatives Berozoff, Walk, J. Williams, Schmidt, Brough, Fisher, Hankins, Brekke, Prince, Tanner, Chandler, C. Smith, Baugher,

Sutherland, Patrick, Van Luven, Thomas, Valle, Zellinsky, K. Wilson, Bond, Kremen, Winsley and Ballard

AN ACT Relating to traffic flow on multilane highways; amending RCW 46.61.100; adding a new section to chapter 46.20 RCW; adding a new section to chapter 46.81 RCW; adding a new section to chapter 46.82 RCW; adding a new section to chapter 47.36 RCW; and creating a new section.

Referred to Committee on Transportation.

HB 508 by Representatives Vekich, Basich, Thomas, R. King, Lundquist, S. Wilson and Haugen

AN ACT Relating to the sale of deficit timber volume from public lands; adding a new chapter to Title 79 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Natural Resources.

HB 509 by Representatives Wang, Chandler, Fisch and Thomas; by Department of Employment Security request

AN ACT Relating to the definition of employer for unemployment insurance purposes; amending RCW 50.04.080; and creating a new section.

Referred to Committee on Commerce & Labor.

HB 510 by Representatives Wang, Chandler and Fisch; by Department of Employment Security request

AN ACT Relating to the approval of training by the commissioner of employment security; amending RCW 50.20.043; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Commerce & Labor.

HB 511 by Representatives Fisch, Chandler, Wang and May; by Department of Employment Security request

AN ACT Relating to the approval of a shared work compensation plan; amending RCW 50.60.030; creating a new section; and declaring an emergency.

Referred to Committee on Commerce & Labor.

HB 512 by Representatives Leonard, Sanders, Cole, Scott, D. Nelson, Smitherman, Crane, Belcher, Lewis, Braddock, Allen, Winsley, Rayburn, K. Wilson, Kremen, Locke, Todd, Isaacson, P. King, Rust, Tanner, Holland, Brough and Fisher

AN ACT Relating to a bill of rights for the child victims and child witnesses; and adding a new chapter to Title 7 RCW.

Referred to Committee on Judiciary.

HB 513 by Representatives Leonard, Lewis, Scott, K. Wilson, Allen, Belcher, Winsley, Braddock, Niemi, Smitherman, Rayburn, D. Nelson, Crane, Todd, Isaacson, Rust, Holland, Dellwo, R. King, Miller, Van Luven and Wang

AN ACT Relating to juveniles; and adding a new section to chapter 13.04 RCW.

Referred to Committee on Social & Health Services.

HB 514 by Representatives Lux, Hankins and Winsley; by Department of General Administration request

AN ACT Relating to savings and loan associations; amending RCW 33.12.060; and adding a new section to chapter 33.40 RCW.

Referred to Committee on Financial Institutions & Insurance.

HB 515 by Representatives Ballard, Brekke, B. Williams, Kremen, Sanders, Scott, Fuhrman, Prince, Schoon, Brooks, Van Luven, Lewis, Dobbs, Bond, Betrozoff, Winsley, van Dyke, May, Braddock, Zellinsky, Crane, J. Williams, Isaacson, Addison, Holland, Hastings and Miller

AN ACT Relating to vendor payments by the department of social and health services; and adding a new section to chapter 43.20A RCW.

Referred to Committee on Social & Health Services.

**HB 516** by Representatives Crane, P. King, Lewis, Schmidt, Dellwo, G. Nelson, Zellinsky and Silver

AN ACT Relating to theft of shopping carts; amending RCW 9A.56.010; adding a new section to chapter 9A.56 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

**HB 517** by Representatives Fisch, R. King, Wang, Crane, May and Thomas; by Department of Employment Security request

AN ACT Relating to experience rating accounts and noncharging; amending RCW 50.29.020; creating a new section; and declaring an emergency.

Referred to Committee on Commerce & Labor.

**HB 518** by Representatives Lux, Day, Lewis, B. Williams and D. Nelson

AN ACT Relating to hearing aid fitters and dispensers; and amending RCW 18.35.010, 18.35.060, 18.35.080, 18.35.090, 18.35.140, 18.35.150, 18.35.161, and 18.35.190.

Referred to Committee on Social & Health Services.

**HB 519** by Representatives Sayan, Barrett, Winsley, Hine, Allen, P. King, D. Nelson and R. King

AN ACT Relating to post-retirement benefits; amending RCW 2.12.060, 41.40.330, 43.43.260, and 43.43.300; adding a new section to chapter 2.12 RCW; adding a new section to chapter 28B.10 RCW; adding a new section to chapter 41.32 RCW; adding a new section to chapter 41.40 RCW; adding a new section to chapter 41.50 RCW; adding a new section to chapter 43.43 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

**HB 520** by Representatives Lux, Sanders, Winsley, Holland, Grimm, Zellinsky, Hankins, P. King, Madsen, Barrett, Day, Ballard and Nutley

AN ACT Relating to industrial loan companies; amending RCW 31.04.090 and 31.04.100; and adding a new section to chapter 31.04 RCW.

Referred to Committee on Financial Institutions & Insurance.

**HB 521** by Representatives Peery, Brooks and Belcher; by Attorney General request

AN ACT Relating to public employees; amending RCW 42.20.010; adding a new section to chapter 9.46 RCW; adding a new section to chapter 67.70 RCW; adding a new section to chapter 42.18 RCW; and repealing RCW 42.18.210 and 42.18.320.

Referred to Committee on State Government.

**HB 522** by Representatives Fisch, Patrick, Sayan, Wang, R. King, Madsen, Winsley, Leonard, Allen and Rayburn

AN ACT Relating to public health care labor relations; and adding a new chapter to Title 41 RCW.

Referred to Committee on Commerce & Labor.

**HB 523** by Representatives K. Wilson, Fisher, Kremen, Wang, Miller, Winsley, Barnes, Scott, Locke, Hargrove, Todd, P. King, Valle, D. Nelson, Tanner, Holland, Brough, Dellwo and Long

AN ACT Relating to the recall of elected officials; and amending RCW 29.82.010 and 29.82.030.

Referred to Committee on Constitution, Elections & Ethics.

**HB 524** by Representatives K. Wilson, Kremen, G. Nelson, Braddock, Tilly, Leonard, Lewis, Bristow, Allen, Nutley, B. Williams, Hargrove, Isaacson, May, Schoon, Tanner, L. Smith and Thomas

AN ACT Relating to the siting of manufacturing plants and facilities in environmentally nonsensitive areas; adding a new section to chapter 43.21C RCW; and providing an expiration date.

Referred to Committee on Trade & Economic Development.

HB 525 by Representatives Barnes, Zellinsky, Patrick, Hastings, Isaacson and Addison

AN ACT Relating to the taxation of mobile homes, travel trailers, and campers; and amending RCW 82.45.032, 82.08.033, 82.12.033, and 82.50.530.

Referred to Committee on Ways & Means.

HB 526 by Representatives Allen, Belcher, Zellinsky, Patrick, Smitherman, Braddock, Isaacson, Winsley, Brough and J. Williams

AN ACT Relating to local government planning; amending RCW 35.63.010, 35.63.110, 35A.63.100, 36.70.020, and 36.70.750; and declaring emergency.

Referred to Committee on Local Government.

HB 527 by Representatives Bond, Belcher, Zellinsky, Hastings, Isaacson, Addison, Locke, Silver and Sanders

AN ACT Relating to minimum wages; and amending RCW 49.46.010.

Referred to Committee on Commerce & Labor.

HB 528 by Representatives Prince, Zellinsky, Bristow, Vander Stoep, C. Smith and Silver

AN ACT Relating to retail sales taxation; and amending RCW 82.08.0273.

Referred to Committee on Ways & Means.

HB 529 by Representatives Wang, Madsen, P. King and Sanders

AN ACT Relating to alcohol sales at auto race tracks; and amending RCW 66.24.340.

Referred to Committee on Commerce & Labor.

HB 530 by Representatives Gallagher, Schmidt, Scott, Walk, Zellinsky, S. Wilson, Ebersole, Hargrove, O'Brien, Crane, P. King, Ballard, D. Nelson and Taylor

AN ACT Relating to special parking privileges for disabled persons; and amending RCW 46.16.381.

Referred to Committee on Transportation.

HB 531 by Representatives Appelwick, Jacobsen, Ebersole and Todd

AN ACT Relating to state government; amending RCW 41.04.230; and adding a new chapter to Title 43 RCW.

Referred to Committee on Ways & Means.

HB 532 by Representatives Appelwick, Fuhrman, Todd, Leonard, Ebersole, Jacobsen, Cole, Sayan, Lux, Isaacson, P. King, Valle, Taylor and Wang

AN ACT Relating to safety in public school buildings; adding new sections to chapter 28A.03 RCW; making an appropriation; and declaring an emergency.

Referred to Committee on Education.

HB 533 by Representatives Appelwick, Valle, Lux and Long

AN ACT Relating to jurors; and amending RCW 4.44.120 and 4.44.300.

Referred to Committee on Judiciary.

HB 534 by Representatives Appelwick, Hargrove, Tanner, Smitherman, B. Williams, P. King, May, Schoon, L. Smith and Thomas

AN ACT Relating to leasehold excise taxation; amending RCW 82.29A.030, 82.29A.050, 82.29A.120, 82.29A.130, 82.29A.140, and 82.02.030; and repealing RCW 82.29A.040, 82.29A.080, 82.29A.090, 82.29A.100, and 82.29A.110.

Referred to Committee on Ways & Means.

HB 535 by Representatives Appelwick, McMullen and Niemi

AN ACT Relating to the horizontal property regimes act; and adding a new section to chapter 64.32 RCW.

Referred to Committee on Judiciary.

HB 536 by Representatives Appelwick, Madsen, Jacobsen, Day, Fisch, Crane and Long

AN ACT Relating to initiative and referendum advertising; and adding a new section to chapter 29.79 RCW.

Referred to Committee on Constitution, Elections & Ethics.

HB 537 by Representatives Appelwick and Dellwo

AN ACT Relating to insurance coverage; and adding a new section to chapter 48.01 RCW.

Referred to Committee on Financial Institutions & Insurance.

HB 538 by Representatives D. Nelson, Jacobsen and Allen

AN ACT Relating to financial aid; and amending RCW 28B.15.065.

Referred to Committee on Higher Education.

HB 539 by Representatives Sanders, Lux, Holland, Winsley, Prince, Barrett, Addison, Kremen, Crane, J. Williams and Patrick

AN ACT Relating to accident reports; and amending RCW 46.52.030.

Referred to Committee on Financial Institutions & Insurance.

HB 540 by Representatives Thomas, Smitherman, B. Williams, Allen, J. Williams, Isaacson and May

AN ACT Relating to the state environmental policy act; and adding a new section to chapter 43.21C RCW.

Referred to Committee on Environmental Affairs.

HB 541 by Representatives Madsen, Smitherman, Winsley, Todd and Ballard

AN ACT Relating to the retail sales and use taxation of fire fighting equipment; adding a new section to chapter 82.08 RCW; and adding a new section to chapter 82.12 RCW.

Referred to Committee on Ways & Means.

HB 542 by Representatives Day, Padden, Fisher, Dellwo, Barrett, P. King, Silver, Sanders and Scott

AN ACT Relating to voter registration; and amending RCW 29.07.065.

Referred to Committee on Constitution, Elections & Ethics.

HB 543 by Representatives Hankins, Hine, Haugen, Isaacson, Brough, Ebersole and Fisher

AN ACT Relating to cities and towns; amending RCW 35.10.217, 35.10.240, 35.10.265, 35.10.300, 35.10.310, 35.10.315, 35.10.317, 35.10.320, 35.10.331, 35A.01.040, and 36.93.090; reenacting RCW 35A.29.090; adding new sections to chapter 35.10 RCW; adding a new section to chapter 35A.05 RCW; adding a new section to chapter 43.21C RCW; repealing RCW 35.10.200, 35.10.211, 35.10.215, 35.10.220, 35.10.230, 35.10.245, 35.10.250, 35.10.260, 35A.05.010, 35A.05.020, 35A.05.030, 35A.05.040, 35A.05.050, 35A.05.060, 35A.05.070, 35A.05.080, 35A.05.090, 35A.05.100, 35A.05.110, 35A.05.120, 35A.05.130, 35A.05.140, 35A.05.150, 35A.05.160, and 35A.05.170; and declaring an emergency.

Referred to Committee on Local Government.

HB 544 by Representatives Isaacson, D. Nelson, Long, Jacobsen, Hankins, Todd, Miller, Nealey, Armstrong, Madsen and Barnes

AN ACT Relating to the radioactive waste policy and review board; and adding a new section to chapter 43.200 RCW.

Referred to Committee on Energy & Utilities.



HB 545 by Representatives Fisher, Barnes, Fisch, Locke, Miller, Sanders and P. King; by Secretary of State request

AN ACT Relating to ballots; amending RCW 29.30.010, 29.30.081, 29.30.310, 29.34.125, 29.51.100, and 29.51.110; and repealing RCW 29.51.090.

Referred to Committee on Constitution, Elections & Ethics.

HB 546 by Representatives Kremen, Vekich, McMullen, Lundquist, Haugen, S. Wilson, K. Wilson, Betrozoff, Ebersole, Zellinsky, C. Smith, Bristow, Ballard, Doty, Peery, Baugher, Nealey, Madsen, Brooks and O'Brien

AN ACT Relating to commodity commission assessments; and amending RCW 15.65-.020 and 15.65.390.

Referred to Committee on Agriculture.

HB 547 by Representatives Walker, Ebersole, Betrozoff, Cole; Hankins, Valle, Holland, Rayburn, Doty, Rust, Appelwick, L. Smith, Taylor, Dobbs, Winsley, Chandler, Isaacson, Brough and Sanders

AN ACT Relating to Veterans' Day; and amending RCW 28A.02.070.

Referred to Committee on Education.

HB 548 by Representatives Wang, B. Williams and L. Smith

AN ACT Relating to industrial insurance; amending RCW 51.32.090; adding a new section to chapter 51.32 RCW; and creating a new section.

Referred to Committee on Commerce & Labor.

HB 549 by Representatives P. King and Wang

AN ACT Relating to excess school levies; reenacting and amending RCW 84.52.0531; and creating a new section.

Referred to Committee on Education.

HB 550 by Representatives P. King, D. Nelson, Isaacson, Armstrong, Addison, Lewis, Fisch, Barrett, Niemi, Zellinsky, Taylor, C. Smith, Hastings, Sanders and Long

AN ACT Relating to the theft of cable television services; adding new sections to chapter 9A.56 RCW; repealing RCW 9.45.250; and prescribing penalties.

Referred to Committee on Judiciary.

HB 551 by Representative Fisher

AN ACT Relating to appointments by the commissioner of the department of employment security; and amending RCW 50.12.020.

Referred to Committee on Constitution, Elections & Ethics.

HB 552 by Representatives Grimm, Tilly, Sommers, B. Williams, Braddock, Isaacson and P. King

AN ACT Relating to employers' contributions to the retirement system; and adding a new section to chapter 43.88 RCW.

Referred to Committee on Ways & Means.

HB 553 by Representatives Lux, Hargrove, Basich, B. Williams, Rust, L. Smith, Valle, Smitherman, Fisch, Peery, Allen, Bristow, Thomas, Nutley, Sayan, Appelwick, Walk and Schoon

AN ACT Relating to the litter control program; and creating a new section.

Referred to Committee on Environmental Affairs.

HB 554 by Representatives Wang, Winsley, R. King, Fisch, Cole, Lux, Gallagher, Sutherland, Fisher, Sayan, Hine and Dellwo

AN ACT Relating to benefit qualifications for individuals with marginal labor force attachment; amending RCW 50.20.015; providing an effective date; and declaring an emergency.

Referred to Committee on Commerce & Labor.

HB 555 by Representatives Vekich, McMullen, Wang and Basich

AN ACT Relating to benefit eligibility requirements for persons with marginal labor force attachment; and amending RCW 50.20.015.

Referred to Committee on Commerce & Labor.

HB 556 by Representative Haugen

AN ACT Relating to local government; and amending RCW 39.34.020.

Referred to Committee on Local Government.

HB 557 by Representative Haugen

AN ACT Relating to special districts; adding a new section to chapter 85.05 RCW; adding a new section to chapter 85.06 RCW; adding a new section to chapter 85.08 RCW; adding a new section to chapter 85.24 RCW; adding a new section to chapter 85.36 RCW; and adding a new section to chapter 86.09 RCW.

Referred to Committee on Local Government.

HB 558 by Representative Armstrong

AN ACT Relating to public utilities; amending RCW 80.01.100, 80.04.510, 80.01.080, and 80.24.020; adding a new chapter to Title 80 RCW; prescribing penalties; and making an appropriation.

Referred to Committee on Judiciary.

HB 559 by Representatives Nutley and Allen

AN ACT Relating to counties; and amending RCW 36.32.120, 36.49.010, 36.53.020, 36.71.020, 36.71.080, 67.12.030, and 67.12.110.

Referred to Committee on Local Government.

HB 560 by Representatives Grimm, Holland and Silver; by State Treasurer, Auditor and Office of Financial Management request

AN ACT Relating to public funds and accounts; amending RCW 2.56.100, 15.52.320, 18.04.105, 18.08.240, 18.43.150, 18.72.390, 27.34.090, 27.60.060, 28A.46.010, 28B.10.821, 28B.10.851, 28B.10.852, 28B.14D.040, 28B.31.040, 28B.35.370, 28B.50.360, 28B.56.030, 28B.57.050, 28C.50.040, 37.14.010, 39.42.090, 40.14.025, 41.04.260, 41.05.040, 42.16.011, 43.01.050, 43.08.250, 43.19.610, 43.24.072, 43.31.942, 43.31.958, 43.33A.160, 43.51.200, 43.51.280, 43.51.310, 43.79.080, 43.79.201, 43.79.330, 43.79.350, 43.79.445, 43.79.450, 43.83.020, 43.83A.030, 43.83B.030, 43.83B.360, 43.83C.030, 43.83D.030, 43.83H.030, 43.83I.166, 43.88.525, 43.99.040, 43.99.060, 43.99C.040, 43.99F.030, 43.101.210, 43.140.030, 46.08.172, 46.09.110, 46.10.075, 46.81.060, 47.68.236, 47.76.030, 58.24.060, 67.40.040, 70.39.170, 70.93.180, 70.94.656, 70.105.180, 72.72.030, 74.18.230, 75.48.030, 76.04.515, 76.12.110, 79.24.030, 79.24.060, 79.24.085, 79.24.580, 79.64.020, 82.14.050, 82.14.200, 82.14.210, 82.29A.080, 82.32.400, 82.42.090, 84.33.041, and 86.26.007; adding a new section to chapter 43.84 RCW; repealing RCW 43.84.100, 43.84.110, and 43.85.241; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 561 by Representatives Lux, Scott, Tanner, Braddock and Niemi

AN ACT Relating to surgeons' assistants; and amending RCW 18.71A.010, 18.71A.020, 18.71A.030, and 18.71A.070.

Referred to Committee on Social & Health Services.

HB 562 by Representatives J. King and R. King

AN ACT Relating to the data processing authority; and amending RCW 43.105.010, 43.105.032, and 43.105.041.

Referred to Committee on State Government.

HB 563 by Representatives Fisch, Tilly, Jacobsen, Allen, Locke, Belcher, Rust, P. King, Lux, R. King and Miller; by Secretary of State request

AN ACT Relating to public records; amending RCW 40.14.020; adding a new section to chapter 40.14 RCW; and making an appropriation.

Referred to Committee on State Government.

**HB 564** by Representatives B. Williams, Tanner, Schoon, Braddock, L. Smith, Silver, S. Wilson, Isaacson, May, van Dyke, Dobbs, Thomas, Doty and Van Luven

AN ACT Relating to the department of commerce and economic development; amending RCW 43.31.375, 43.31.377, 43.31.379, 43.31.381, 43.31.383, 43.31.385, 43.31.390, 43.31.820, 43.31.830, 43.31.832, 43.31.833, 43.31.834, 43.31.840, 43.31.840, 19.02.040, 19.02.050, 24.46.010, 28C.04.440, 28C.04.460, 31.24.030, 35.21.800, 36.01.120, 39.19.040, 39.84.090, 43.17.010, 43.17.020, 43.21.260, 43.21A.170, 43.21A.510, 43.21A.515, 43.63A.075, 43.83.184, 43.96D.010, 43.96D.020, 43.96D.040, 43.160.020, 43.160.030, 43.170.020, 43.170.030, 43.175.010, 43.175.020, 43.210.050, 43.210.060, 50.38.030, 67.16.100, 67.34.010, 70.95.265, and 76.09.030; reenacting and amending RCW 80.50.030; adding new sections to chapter 43.31 RCW; creating new sections; recodifying RCW 43.31.400, 43.31.405, 43.31.410, 43.31.415, and 43.31.420; decodifying RCW 43.31.500, 43.31.510, 43.31.520, 43.31.525, 43.31.530, 43.31.540, 43.31.550, 43.31.560, 43.31.570, 43.31.580, 43.31.590, 43.31.620, 43.31.630, 43.31.640, 43.31.660, 43.31.670, 43.31.680, 43.31.690, 43.31.700, 43.31.710, 43.31.720, 43.31.730, 43.31.740, 43.31.750, 43.31.760, 43.31.770, 43.31.865, 43.63A.090, 43.96B.010, 43.96B.020, 43.96B.030, 43.96B.060, 43.96B.070, 43.96B.080, 43.96B.090, 43.96B.100, 43.96B.110, 43.96B.120, 43.96B.140, 43.96C.010, 43.96C.020, 43.96C.030, 43.96C.040, 43.96C.050, and 43.96C.060; repealing RCW 43.31.020, 43.31.040, 43.31.050, 43.31.060, 43.31.070, 43.31.080, 43.31.110, 43.31.120, 43.31.140, 43.31.150, 43.31.160, 43.31.170, 43.31.180, 43.31.350, 43.31.360, 43.31.370, 43.31.800, 43.31.831, 43.31.860, 43.31.870, 43.31.875, 43.31.880, 43.31.885, 43.31.890, 43.31.895, 43.31.900, 43.31.910, 43.31.915, 43.31.920, 43.31.925, 43.31.930, 43.31.935, 43.31.940, 43.31.942, 43.31.944, 43.31.946, 43.31.948, 43.31.956, 43.31.958, 43.31.960, 43.31.962, 43.31.964, 43.131.257, 43.131.258, 43.31B.010, 43.31B.020, 43.31B.030, 43.31B.040, 43.31B.050, 43.31B.900, 43.131.317, and 43.131.318; providing an effective date; and declaring an emergency.

Referred to Committee on Trade & Economic Development.

**HB 565** by Representatives Nutley, Ballard, Haugen, B. Williams and Isaacson

AN ACT Relating to county fiscal agents; and amending RCW 39.46.030, 39.44.130, and 43.80.125.

Referred to Committee on Local Government.

**HB 566** by Representative Sommers

AN ACT Relating to higher education tuition and fees; amending RCW 28B.10.265, 28B.14C.010, 28B.14C.080, 28B.14C.090, 28B.14C.100, 28B.14C.110, 28B.14C.120, 28B.14C.130, 28B.14D.900, 28B.14G.900, 28B.15.020, 28B.15.031, 28B.15.041, 28B.15.067, 28B.15.070, 28B.15.076, 28B.15.100, 28B.15.202, 28B.15.210, 28B.15.220, 28B.15.310, 28B.15.380, 28B.15.402, 28B.15.502, 28B.15.520, 28B.15.522, 28B.15.535, 28B.15.540, 28B.15.543, 28B.15.545, 28B.15.600, 28B.15.740, 28B.15.800, 28B.15.820, 28B.20.700, 28B.20.705, 28B.20.715, 28B.20.720, 28B.20.735, 28B.30.700, 28B.30.710, 28B.30.730, 28B.30.740, 28B.31.100, 28B.35.361, 28B.35.370, 28B.35.700, 28B.35.710, 28B.35.720, 28B.35.730, 28B.35.750, 28B.40.361, 28B.50.340, 28B.50.350, 28B.50.360, 28B.50.370, 28B.50.401, 28B.50.403, 28B.50.404, 28B.57.010, 28B.57.100, 28B.57.080, 28B.58.010, 28B.58.070, 28B.58.090, 28B.59.010, 28B.59.070, 28B.59.090, 28B.59B.070, 28B.59C.070, and 28B.59D.060; and adding a new section to chapter 28B.15 RCW.

Referred to Committee on Higher Education.

**HB 567** by Representatives Thomas, Braddock, Schoon, B. Williams, Betrozoff, Brooks, S. Wilson, Walker, Schmidt, van Dyke, Vander Stoep, G. Nelson, May, Van Luven, Doty, Tanner, Brough, Gallagher, J. Williams, Baugher, Kremen, K. Wilson, Sutherland, Zellinsky, Patrick, McMullen, Niemi, Hargrove, Isaacson, L. Smith, C. Smith, Miller, Dobbs, Silver, Sanders and Long

AN ACT Relating to international trade; and adding new sections to chapter 43.31 RCW.

Referred to Committee on Trade & Economic Development.

**HB 568** by Representatives Todd, Fuhrman, Day, Chandler, Gallagher, Taylor, Valle, J. Williams, Tanner, Patrick, C. Smith and Long

AN ACT Relating to school transportation; and amending RCW 28A.24.065.

Referred to Committee on Education.

**HB 569** by Representatives Todd, Fuhrman, Day, Betrozoff, Gallagher, Barrett, J. Williams, Patrick and Long

AN ACT Relating to private schools; and amending RCW 28A.58.107.

Referred to Committee on Education.

HB 570 by Representatives Bristow, Brough, Kremen and Patrick

AN ACT Relating to law enforcement; adding a new chapter to Title 10 RCW; creating a new section; and providing an effective date.

Referred to Committee on Judiciary.

HB 571 by Representatives Bristow, Hargrove, C. Smith, Walk, Doty and Baugher

AN ACT Relating to wheelchair conveyance; and amending RCW 46.04.710, 46.20.550, and 46.61.730.

Referred to Committee on Transportation.

HB 572 by Representatives Thomas and Smitherman

AN ACT Relating to school lands; and amending RCW 79.01.770.

Referred to Committee on Education.

HB 573 by Representatives Armstrong, Padden, Wang, G. Nelson, Baugher and West

AN ACT Relating to claims arising from improvements upon real property; and amending RCW 4.16.160 and 4.16.310.

Referred to Committee on Judiciary.

HB 574 by Representatives O'Brien, Belcher, Taylor, Niemi, S. Wilson, Miller, Vekich, Tilly, Sommers, Isaacson, Hankins, P. King, Tanner and Haugen; by Arts Commission request

AN ACT Relating to the Washington state arts commission; amending RCW 43.46.030, 43.46.040, 43.46.045, 43.46.050, and 43.46.070; adding new sections to chapter 43.46 RCW; repealing RCW 43.46.010, 43.46.020, 43.46.080, 43.131.261, and 43.131.262; providing an effective date; and declaring an emergency.

Referred to Committee on State Government.

HB 575 by Representatives Fisher, Winsley, Fisch, Walk, Wang, Smitherman and Ebersole

AN ACT Relating to public transportation employees; and adding a new section to chapter 35.58 RCW.

Referred to Committee on Constitution, Elections & Ethics.

HB 576 by Representatives Haugen and Brough

AN ACT Relating to cities and towns; and amending RCW 35.22.620 and 35.23.352.

Referred to Committee on Local Government.

HB 577 by Representatives Fisch and Barnes

AN ACT Relating to employee-ownership assistance programs; and adding new sections to chapter 43.31 RCW.

Referred to Committee on Trade & Economic Development.

HB 578 by Representatives Grimm, Betrozoff, J. Williams, Isaacson, Brough and Tilly; by Temporary Committee on Educational Policies, Structure and Management request

AN ACT Relating to local excess levies; providing for a study of the current situation with respect to expenditure of funds and a temporary allocation from the state general fund to provide relief from the levy limitation; creating new sections; making an appropriation; and declaring an emergency.

Referred to Committee on Education.

HB 579 by Representatives Grimm, Betrozoff, Sommers and D. Nelson; by Temporary Committee on Educational Policies, Structure and Management request

AN ACT Relating to higher education; amending RCW 28A.58.824, 28A.58.826, 28A.58.828, 28A.58.830, 28B.04.020, 28B.04.030, 28B.04.040, 28B.04.050, 28B.04.060, 28B.04.070, 28B.04.080, 28B.04.110, 28B.05.030, 28B.05.050, 28B.05.130, 28B.07.030, 28B.07.040, 28B.10.045, 28B.10.052, 28B.10.215, 28B.10.220, 28B.10.650, 28B.10.790, 28B.10.792, 28B.10.802, 28B.10.806, 28B.10.832, 28B.10.840, 28B.15.012, 28B.15.013, 28B.15.015, 28B.15.070, 28B.15.076, 28B.15.100, 28B.15.543, 28B.15.730, 28B.15.732, 28B.15.734, 28B.15.736, 28B.15.750, 28B.15.752, 28B.15.754, 28B.15.756, 28B.15.758, 28B.15.760, 28B.15.762, 28B.15.764, 28B.20.280, 28B.35.100, 28B.30.500, 28B.35.205, 28B.40.206, 28B.65.040, 28B.50.050, 28B.65.050, 28B.65.060, 28B.80.040, 28B.80.060, 28B.80.090, 28B.80.110, 28B.80.120, 28B.80.150, 28B.80.160, 28B.80.170, 28B.80.230, 28B.80.240, 28B.80.250, 28B.80.260, and 28B.80.270; adding a new chapter to Title 28B RCW; adding a new section to chapter 28B.80 RCW; creating new sections; repealing RCW 28B.10.650, 28B.40.240, 28B.40.244, 28B.80.010, 28B.80.020, 28B.80.030, 28B.80.035, 28B.80.200, 28B.80.210, 28B.80.220, 28B.80.280, 28B.80.290, 28B.80.900, 28B.80.910, 43.131.259, and 43.131.260; and providing an effective date.

Referred to Committee on Higher Education.

**HB 580** by Representatives Grimm, Betzoff, Ebersole and Sommers; by Temporary Committee on Educational Policies, Structure and Management request

AN ACT Relating to college entrance requirements; and adding a new section to chapter 28B.10 RCW.

Referred to Committee on Higher Education.

**HB 581** by Representatives Grimm, Betzoff, Sommers and P. King; by Temporary Committee on Educational Policies, Structure and Management request

AN ACT Relating to vocational education; amending RCW 18.106.040, 19.28.510, 19.28.530, 28B.04.080, 28B.05.030, 28B.05.050, 28B.05.130, 28B.50.090, 28B.80.040, 28B.80.060, 28C.04.020, 28C.04.060, 28C.04.070, 28C.04.080, 28C.04.310, 28C.04.410, 28C.04.420, 28C.04.430, 28C.04.440, 28C.04.460, 28C.04.470, 28C.04.530, 28C.04.535, 28C.04.540, 28C.04.550, 28C.50.010, 28C.50.050, 28C.51.010, 28C.51.050, 43.03.028, 43.131.287, 49.04.010, 49.04.030, and 50.38.030; adding a new section to chapter 28B.50 RCW; adding new sections to chapter 28C.04 RCW; creating a new section; recodifying RCW 28C.50.010, 28C.50.050, 28C.51.010, 28C.51.050, 28C.50.020, 28C.50.030, 28C.50.040, 28C.50.060, 28C.50.900, 28C.51.020, 28C.51.030, 28C.51.040, and 28C.51.060; decodifying RCW 28C.04.500 and 28C.04.510; repealing RCW 28C.04.030, 28C.04.040, 28C.04.050, 28C.04.090, 28C.04.140, 28C.04.150, and 43.131.288; providing an effective date; and declaring an emergency.

Referred to Committee on Higher Education.

**HB 582** by Representatives Grimm, Betzoff, Sommers and P. King; by Temporary Committee on Educational Policies, Structure and Management request

AN ACT Relating to vocational education and student eligibility; amending RCW 28A.58.190; adding a new section to chapter 28C.04 RCW; and creating a new section.

Referred to Committee on Education.

**HB 583** by Representatives Grimm, Betzoff and Sommers; by Temporary Committee on Educational Policies, Structure and Management request

AN ACT Relating to local excess levies; providing for a study of the current situation with respect to expenditure of funds and a temporary increase in the state property tax to provide relief from the levy limitation; adding a new section to chapter 84.55 RCW; creating new sections; and declaring an emergency.

Referred to Committee on Ways & Means.

**HB 584** by Representatives Grimm, Betzoff, Sommers, Lux and P. King; by Temporary Committee on Educational Policies, Structure and Management request

AN ACT Relating to the state advisory council on vocational education; and amending RCW 28C.04.310.

Referred to Committee on Education.

HB 585 by Representatives Grimm, Betzoff, Sommers, S. Wilson, Locke, P. King, D. Nelson and G. Nelson; by Temporary Committee on Educational Policies, Structure and Management request

AN ACT Relating to student financial assistance; adding a new section to chapter 28B.80 RCW; creating a new section; and making an appropriation.

Referred to Committee on Higher Education.

HB 586 by Representatives Betzoff, Grimm, S. Wilson, May, Schoon, Holland, Brough, G. Nelson, Patrick, C. Smith, Tilly, Walker, Barnes and Long; by Temporary Committee on Educational Policies, Structure and Management request

AN ACT Relating to education; amending RCW 28A.67.065, 28A.67.072, and 28A.01-.025; adding new sections to chapter 28A.04 RCW; adding new sections to chapter 28A.70 RCW; adding a new section to chapter 28A.71 RCW; creating new sections; making appropriations; and providing an expiration date.

Referred to Committee on Education.

HB 587 by Representatives Grimm, Betzoff, Ebersole, Sommers, S. Wilson, May, Schoon, Brough, Patrick, C. Smith, Miller, Walker, Barnes and Long; by Temporary Committee on Educational Policies, Structure and Management request

AN ACT Relating to teacher competency; adding new sections to chapter 28A.70 RCW; and making an appropriation.

Referred to Committee on Education.

HB 588 by Representatives Sommers and B. Williams

AN ACT Relating to setting retirement system contribution rates; and amending RCW 41.26.450, 41.32.775, and 41.40.650.

Referred to Committee on Ways & Means.

HJM 11 by Representatives van Dyke, Fuhrman, Thomas, Padden, J. Williams, Hastings, Bond, Sanders, L. Smith, May, Dobbs, Lundquist, Brooks, Isaacson, Addison, Patrick and Tilly

Petitioning Congress to eliminate the federal debt.

Referred to Committee on Ways & Means.

HJM 12 by Representatives Thomas, Smitherman, Cole, Madsen, Walker, Scott, Lundquist, Basich, Leonard, Dobbs, Bristow, Brooks, S. Wilson, Taylor, Schmidt, J. Williams, Grimm, Vekich, Allen, Kremen, Van Luven, Todd, Winsley, P. King, Tanner, C. Smith and Silver

Requesting Congress to retain the small business administration.

Referred to Committee on Trade & Economic Development.

HJR 20 by Representatives K. Wilson, Fisher, Kremen, Wang, Miller, Winsley, Barnes, Scott, Locke, Hargrove, Todd, P. King, D. Nelson, Tanner and Long

Amending the Constitution to make false statements by candidates grounds for recall.

Referred to Committee on Constitution, Elections & Ethics.

HJR 21 by Representatives Fisher, S. Wilson, Sommers, Barrett, Leonard, Walker, Day, Miller, Fisch, Nealey, Barnes, Crane, J. Williams, Isaacson, Vekich, Winsley, Rust, May, Ballard, Dellwo, Patrick, Silver, Sanders and Long

Extending the terms of state legislators to four years for representatives and six years for senators.

Referred to Committee on Constitution, Elections & Ethics.

HCR 5 by Representatives Grimm, Betrozoff, Rayburn and Wang; by Temporary Committee on Educational Policies, Structure and Management request

Authorizing a joint study for a competitive entry residential high school.

Referred to Committee on Education.

SSB 3001 by Committee on Governmental Operations (originally sponsored by Senators Thompson, Zimmerman, Conner and von Reichbauer)

Changing manner of filling port commissioner vacancies.

Referred to Committee on Local Government.

ESSB 3012 by Committee on Judiciary (originally sponsored by Senators Talmadge, Moore, Conner, Wojahn, Williams, Rasmussen and Peterson)

Enacting penalties and procedures to prevent harassment.

Referred to Committee on Judiciary.

ESB 3098 by Senators Bauer, Zimmerman, Thompson, Deccio and Gaspard; by Department of Social and Health Services request

Revising the requirements for superintendents for the schools for the deaf and blind.

Referred to Committee on Social & Health Services.

ESB 3111 by Senators Gaspard, Hayner, McManus, Johnson, Vognild, Bottiger and Kiskaddon

Revising the persons on the state board of education who may vote.

Referred to Committee on Education.

SSB 3131 by Committee on Natural Resources (originally sponsored by Senators Thompson, Owen, Johnson and Zimmerman)

Permitting the sale or transfer of dredge spoil or materials from certain rivers free of any interest of the department of natural resources.

Referred to Committee on Natural Resources.

SB 3144 by Senators Garrett and Barr

Updating statutory references in the Model Traffic Ordinance.

Referred to Committee on Transportation.

ESB 3172 by Senators Owen, Metcalf and Stratton

Revising provisions relating to department of game licenses.

Referred to Committee on Natural Resources.

SB 3173 by Senators Owen, Metcalf and Stratton

Prohibiting trespass on aquaculture lands or structures.

Referred to Committee on Natural Resources.

SB 3178 by Senators Goltz, Hayner, Bauer, Conner, Bottiger, Kiskaddon, Johnson and Gaspard

Providing that private school minimum school year shall not be less than 180 days or equivalent.

Referred to Committee on Education.

SB 3204 by Senators Gaspard, Bauer, Johnson, Goltz, Patterson, Bender and von Reichbauer

Providing for activities in observance of Veterans' Day in the schools.

Referred to Committee on Education.

SB 3225 by Senators Fleming and McDermott

Allowing savings banks to invest in the African Development Bank.

Referred to Committee on Financial Institutions & Insurance.

SB 3286 by Senators Hansen and Barr

Authorizing the formation of an agricultural irrigation commission.

Referred to Committee on Agriculture.

SB 3406 by Senator Warnke, Newhouse, Wojahn, McManus, Rasmussen, Cantu and Vogmild; by Employment Security Department request

Eliminating certain requirements for shared work compensation programs.

Referred to Committee on Commerce & Labor.

#### MOTION

On motion of Mr. J. King, the bills, memorials and resolutions listed on today's agenda under the fourth order of business were considered first reading and referred to the committees designated.

#### REPORTS OF STANDING COMMITTEES

February 5, 1985

HB 22 Prime Sponsor, Representative Vekich: Providing remedies to protect ground water rights. Reported by Committee on Agriculture

MAJORITY recommendation: Do pass with the following amendment: On page 1, line 22 after "modified" insert "beyond their original or historically optimum condition"

Signed by Representatives Vekich, Chair; Baugher, Vice Chair; Ballard, Bristow, Brooks, Chandler, Doty, Kremen, Madsen, Nealey and Peery.

Passed to Committee on Rules for second reading.

February 1, 1985

HB 26 Prime Sponsor, Representative Haugen: Granting extensive self-government authority to counties, cities, and towns. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Bristow, Brough, Ebersole, Hine, Isaacson, May, Rayburn, Smitherman, Winsley and Zellinsky.

Absent: Representatives Allen, Doty, Isaacson and Patrick.

Passed to Committee on Rules for second reading.

February 5, 1985

HB 31 Prime Sponsor, Representative Haugen: Removing restrictions on the taking of salmon by use of monofilament gill net webbing. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Cole, Dobbs, Fuhrman, Hankins, Hargrove, Haugen, Leonard, Lundquist, McMullen, D. Nelson, Sanders, Thomas, van Dyke, J. Williams and S. Wilson.

Voting nay: Representatives Basich, Belcher and Sayan.

Absent: Representative D. Nelson.

Passed to Committee on Rules for second reading.

February 1, 1985

HB 44 Prime Sponsor, Representative Crane: Permitting family members to look at autopsy and post mortem reports. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Nutley, Vice



Chair; Allen, Bristow, Brough, Doty, Ebersole, Hine, Isaacson, May, Rayburn, Smitherman, Winsley and Zellinsky.

Voting nay: Not voting; Representative Doty.

Absent: Representatives Isaacson and Patrick.

Passed to Committee on Rules for second reading.

February 5, 1985

HB 92 Prime Sponsor, Representative K. Wilson: Authorizing designees of state officials to sit on the interagency committee for outdoor recreation. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Basich, Belcher, Cole, Dobbs, Fuhrman, Hankins, Hargrove, Haugen, Leonard, Lundquist, McMullen, D. Nelson, Sanders, Sayan, Thomas, van Dyke, J. Williams and S. Wilson.

Absent: Representative D. Nelson.

Passed to Committee on Rules for second reading.

February 1, 1985

HB 94 Prime Sponsor, Representative Winsley: Changing the method of appointing a public health director. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Allen, Bristow, Brough, Doty, Ebersole, Hine, Isaacson, May, Rayburn, Smitherman, Winsley and Zellinsky.

Absent: Representative Patrick.

Passed to Committee on Rules for second reading.

February 4, 1985

HB 99 Prime Sponsor, Representative Zellinsky: Exempting fish farming from excise taxation. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 26 after "chapter." insert "As used in this section, 'fish' means fish which are cultivated or raised entirely within confined rearing areas on the person's own land or on land in which the person has a present right of possession."

On page 2, beginning on line 31 strike all of section 6.

On page 1, beginning on line 3 of the title after "RCW," strike the remainder of the title and insert "and creating a new section."

Signed by Representatives Grimm, Chair; Appelwick, Basich, Bristow, Hastings, Hine, Holland, J. King, Long, Madsen, G. Nelson, Sanders, Sayan, Silver, L. Smith, Smitherman, Taylor, Tilly, Vander Stoep and B. Williams.

MINORITY recommendation: Do not pass. Signed by Representatives Braddock, Vice Chair; Brekke, Niemi and Sommers.

Voting nay: Representatives Braddock, Vice Chair; Brekke, Locke, Niemi, Rust and Sommers.

Passed to Committee on Rules for second reading.

February 1, 1985

HB 108 Prime Sponsor, Representative Miller: Requiring declarations of candidacy from write-in candidates. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fisher, Chair; Leonard, Vice Chair; Barnes, Barrett, Day, Fisch, Madsen, Miller, Nealey, Sommers and Walker.

Absent: Representative Walker.

Passed to Committee on Rules for second reading.

February 4, 1985

HB 119 Prime Sponsor, Representative Belcher: Increasing the cashout ratio for state employee's sick leave. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Belcher, Chair; Peery, Vice Chair; Baugher, Hankins, O'Brien, Todd, Vekich and Walk.

MINORITY recommendation: Do not pass. Signed by Representatives Brooks, Fuhrman, Sanders, Taylor and van Dyke.

Passed to Committee on Rules for second reading.

February 4, 1985

HB 123 Prime Sponsor, Representative Unsoeld: Enlarging the class of persons entitled to cash out annual leave. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Belcher, Chair; Peery, Vice Chair; Baugher, Brooks, Fuhrman, Hankins, O'Brien, Sanders, Todd, van Dyke, Vekich and Walk.

Passed to Committee on Rules for second reading.

February 4, 1985

HB 124 Prime Sponsor, Representative O'Brien: Authorizing the defense of actions against authorized agents of the state. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Belcher, Chair; Peery, Vice Chair; Baugher, Brooks, Fuhrman, Hankins, O'Brien, Sanders, Todd, van Dyke and Walk.

Absent: Representative Taylor.

Passed to Committee on Rules for second reading.

February 1, 1985

HB 142 Prime Sponsor, Representative Rayburn: Revising provisions relating to marriage licenses. Reported by Committee on Local Government

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 20 strike "single, widowed or divorced" and insert "~~((single, widowed or divorced))~~ currently married or not married"

On page 2, beginning on line 28 strike ")), that they are not an habitual criminal," and insert "~~an habitual criminal.))~~"

Signed by Representatives Haugen, Chair; Allen, Bristow, Brough, Doty, Ebersole, May, Rayburn, Smitherman, Winsley and Zellinsky.

Voting nay: Representative Isaacson.

Absent: Representative Patrick.

Passed to Committee on Rules for second reading.

February 4, 1985

HB 169 Prime Sponsor, Representative Hine: Revising the use of and rent payments for certain public lands. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Brekke, Bristow, Hastings, Hine, Holland, J. King, Locke, Long, Madsen, G. Nelson, Niemi, Rust, Sanders, Sayan, Silver, L. Smith, Smitherman, Sommers, Taylor, Tilly, Vander Stoep and B. Williams.

Passed to Committee on Rules for second reading.

February 5, 1985

HB 191 Prime Sponsor, Representative McMullen: Providing for rewards for information about violations of the food fish and shellfish laws. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Basich, Belcher, Cole, Dobbs, Fuhrman, Hankins, Hargrove, Leonard, Lundquist, McMullen, D. Nelson, Sanders, Sayan, Thomas, van Dyke, J. Williams and S. Wilson.

Voting nay: Representative Haugen.

Absent: Representative D. Nelson.

Passed to Committee on Rules for second reading.

February 5, 1985

HB 409 Prime Sponsor, Representative Sayan: Regulating the practice of architecture. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendments:

On page 7, line 23 after "engineer," strike the remainder of the sentence and insert "or architect."

On page 7, beginning on line 25 strike everything through the end of line 30.

Signed by Representatives Wang, Chair; Betzoff, Chandler, Ebersole, Fisch, Fisher, R. King, O'Brien, Patrick, Sayan, C. Smith, Walker and J. Williams.

Absent: Representative Cole, Vice Chair.

Passed to Committee on Rules for second reading.

February 5, 1985

HJR 12 Prime Sponsor, Representative Peery: Permitting investment of industrial insurance trust funds. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Betzoff, Chandler, Ebersole, Fisch, Fisher, R. King, O'Brien, Patrick, Sayan, C. Smith, Walker and J. Williams.

Absent: Representative Cole, Vice Chair.

Passed to Committee on Rules for second reading.

#### SECOND READING

HOUSE BILL NO. 386, by Representatives Grimm, Tilly, Braddock and Holland; by Governor Gardner request

Adopting the supplemental budget.

The bill was read the second time. On motion of Mr. Grimm, Substitute House Bill No. 386 was substituted for House Bill No. 386, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 386 was read the second time.

Ms. L. Smith moved adoption of the following amendment:

On page 4, line 35 after "only" insert "use the moneys provided in this subsection to"

Representatives L. Smith and Braddock spoke in favor of the amendment, and it was adopted.

Mr. Sanders moved adoption of the following amendments:

On page 4, line 23 strike "~~(3,425,000)~~ 6,925,000" and insert "3,425,000"

On page 4, beginning on line 33 strike all of subsection (4)

Mr. Sanders spoke in favor of the amendments, and Mr. Braddock opposed them.

Mr. Sanders spoke again in favor of the amendments.

A division was called.

## ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Sanders to page 4 of Substitute House Bill No. 386, and the amendments were not adopted by the following vote: Yeas, 21; nays, 76; excused, 1.

Voting yea: Representatives Barnes, Betzoff, Brooks, Dobbs, Fuhrman, Hastings, May, Nealey, Nelson G, Padden, Prince, Sanders, Schmidt, Thomas, Tilly, van Dyke, Vander Stoep, Walker, West, Williams B, Williams J - 21.

Voting nay: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Brough, Chandler, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, McMullen, Miller, Nelson D, Niemi, Nutley, O'Brien, Patrick, Peery, Rayburn, Rust, Sayan, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Todd, Unsoeld, Valle, Van Luven, Vekich, Walk, Wang, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 76.

Excused: Representative Bond - 1.

Mr. Smitherman moved adoption of the following amendments by Representatives Smitherman, G. Nelson and Braddock:

On page 10, line 1 strike "1,731,040,000" and insert "1,731,230,000"

On page 10, line 2 strike "1,250,529,000" and insert "1,250,585,000"

On page 10, line 22 strike "3,028,864,000" and insert "3,029,110,000"

On page 11, line 9 after "(4)" strike all material down through "homes." on line 11 and insert "\$627,000, of which \$571,000 is from the general fund-state appropriation, is provided solely to increase the safety and quality of care of children in level 2 and level 3 children's group homes, and to establish 25 residential care beds for hard-to-place youth."

On page 13, line 6, strike "35,367,000" and insert "35,557,000" and strike "40,671,000" and insert "40,917,000"

On page 13, line 16 strike "91,823,000" and insert "92,013,000" and strike "116,332,000" and insert "116,578,000"

On page 13, line 23 strike "1,731,040,000" and insert "1,731,230,000" and strike "3,028,864,000" and insert "3,029,110,000"

Representatives Smitherman, G. Nelson and Brekke spoke in favor of the amendments, and they were adopted.

Mr. Baugher moved adoption of the following amendment by Representatives Baugher, Bristow, Peery and Rayburn:

On page 17, after line 13, insert the following:

"Sec. 302. Section 90, chapter 76, Laws of 1983 1st ex. sess. as amended by section 308, chapter 285, Laws of 1984 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF AGRICULTURE

General Fund Appropriation—State	\$	<del>(11,271,000)</del>
		<u>11,646,000</u>
General Fund Appropriation—Federal	\$	626,000
General Fund—Feed and Fertilizer Account Appropriation	\$	17,000
Fertilizer, Agricultural, Mineral and Lime Fund Appropriation	\$	360,000
Commercial Feed Fund Appropriation—State	\$	361,000
Commercial Feed Fund Appropriation—Federal	\$	13,000
Seed Fund Appropriation	\$	1,011,000
Nursery Inspection Fund Appropriation	\$	449,000
Total Appropriation	\$	<del>(14,106,000)</del>
		<u>14,483,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$156,000 from the general fund—state appropriation shall be used to enhance the pesticide field investigations.

(2) \$60,000 from the general fund—state appropriation shall be used to enhance consumer services within the agricultural development program.

(3) \$300,000 from the general fund—state appropriation shall be used to establish a marketing program for the Washington wine industry and the department of agriculture shall present a proposal to the forty-ninth legislature which establishes a wine commodity commission.

(4) \$600,000 from the general fund—state appropriation shall be used solely for carrying out the purposes of chapter 40, Laws of 1983 1st ex. sess.: PROVIDED, That for that enrollment period which begins after March 1, 1984, the average cost per enrollee shall not be greater than \$8,300, inclusive of wages and administration, equipment, transportation, and residence costs: PROVIDED FURTHER, That, if this amount is exceeded, the remaining funds of the amount specified in this subsection shall revert to the general fund.

(5) \$104,000 is provided solely for a food bank coordinator and related costs.

(6) ~~\$(475,000))~~ 850,000 of the general fund—state appropriation is provided solely for the gypsy moth and apple maggot detection and control program. Aerial gypsy moth eradication shall be limited to biological control agents."

Renumber the sections consecutively.

Representatives Baugher, Chandler and Ballard spoke in favor of the amendment, and it was adopted.

Mr. Jacobsen moved adoption of the following amendment by Representatives Jacobsen, Unsoeld, Wineberry and Prince:

On page 28, after line 27 insert:

"Sec. 504, Section 124, chapter 76, Laws of 1983 1st ex. sess. as amended by section 522, chapter 285, Laws of 1984 (uncodified) is amended to read as follows:

FOR THE COUNCIL FOR POSTSECONDARY EDUCATION

General Fund Appropriation—State .....	\$(( <del>27,498,000</del> )) 29,282,000
General Fund Appropriation—Federal .....	\$((- <del>3,526,000</del> )) 3,526,000
State Educational Grant Appropriation .....	\$((- <del>40,000</del> )) 40,000
Total Appropriation .....	\$(( <del>31,064,000</del> )) 32,848,000

The appropriations in this section are subject to the following conditions and limitations:

- (1) To the greatest extent possible, the council shall emphasize work study and other self-help programs in its financial assistance programs.
- (2) The council staff shall provide assistance as required by the office of financial management to study the question of undergraduate and graduate education in Spokane.
- (3) No less than \$24,265,723 shall be spent for student aid exclusive of agency administrative costs."

Renumber the sections consecutively and correct internal references accordingly.

Representatives Jacobsen, G. Nelson, Prince, Basich, D. Nelson, Unsoeld, Fisch, Miller and Long spoke in favor of the amendment, and Representatives Braddock and Grimm spoke against it.

Mr. J. King demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Jacobsen and others to Substitute House Bill No. 386, and the amendment was adopted by the following vote: Yeas, 54; nays, 42; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Betrozoff, Brooks, Brough, Chandler, Cole, Day, Dellwo, Doty, Fisch, Hankins, Hastings, Haugen, Hine, Isaacson, Jacobsen, King P. King R. Leonard, Lewis, Long, Lundquist, Lux, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Peery, Prince, Rayburn, Scott, Silver, Sommers, Taylor, Thomas, Todd, Unsoeld, Valle, van Dyke, Walker, Wang, Wilson S. Wineberry, Winsley - 54.

Voting nay: Representatives Belcher, Braddock, Brekke, Bristow, Crane, Dobbs, Ebersole, Fisher, Fuhrman, Gallagher, Grimm, Hargrove, Holland, King J, Kremen, Locke, Madsen, May, McMullen, Nealey, Padden, Patrick, Rust, Sanders, Schmidt, Schoon, Smith C, Smith L, Smitherman, Sutherland, Tanner, Tilly, Van Luven, Vander Stoep, Vekich, Walk, West, Williams B, Williams J, Wilson K, Zellinsky, and Mr. Speaker - 42.

Absent: Representative Sayan - 1.  
Excused: Representative Bond - 1.

STATEMENT FOR THE JOURNAL

My vote on the amendment to page 28, line 27 of Substitute House Bill No. 386 was "No."

DOUG SAYAN, 35th District.

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

On page 1, line 27 of the title after "(uncodified):" insert "amending section 90, chapter 76, Laws of 1983 1st ex. sess. as amended by section 308, chapter 285, Laws of 1984 (uncodified);"

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

On page 2 of the title, line 7, after "(uncodified):" insert "amending section 124, chapter 76, Laws of 1983 1st ex. sess. as amended by section 522, chapter 285, Laws of 1984 (uncodified);"

Substitute House Bill No. 386 was ordered engrossed and passed to Committee on Rules for third reading.

## MOTION

On motion of Mr. J. King, the House adjourned until 11:00 a.m., Friday, February 8, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk

## TWENTY-SIXTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Friday, February 8, 1985

The House was called to order at 11:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Hankins, Miller, Prince and Smitherman, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Melinda Smith and Michelle Berger. Prayer was offered by Reverend Avery Finger, Minister of the Evangel Temple, Church of God in Olympia.

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

## MESSAGE FROM THE SENATE

February 6, 1985

Mr. Speaker:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 4.

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTIONS AND FIRST READING

HB 589 by Representatives Todd, Isaacson, Belcher, S. Wilson, Barnes, van Dyke, Fuhrman, Doty and Long

AN ACT Relating to the state building code; creating a new section; and making an appropriation.

Referred to Committee on State Government.

HB 590 by Representatives Walk, Schmidt, Prince, D. Nelson, Hankins, Brekke, Gallagher, S. Wilson, Fisher, Zellinsky, Betzoff and Wineberry

AN ACT Relating to urban arterial programs; and adding a new section to chapter 47.26 RCW.

Referred to Committee on Transportation.

HB 591 by Representative Appelwick

AN ACT Relating to the insanity defense; enacting the Uniform Law Commissioners' Model Insanity Defense and Post-Trial Disposition Act; adding new sections to chapter 10.77 RCW; repealing RCW 10.77.010, 10.77.020, 10.77.030, 10.77.040, 10.77.050, 10.77.060, 10.77.070, 10.77.080, 10.77.090, 10.77.100, 10.77.110, 10.77.120, 10.77.130, 10.77.140, 10.77.150, 10.77.160, 10.77.163, 10.77.165, 10.77.170, 10.77.180, 10.77.190, 10.77.200, 10.77.210, 10.77.220, 10.77.230, 10.77.240, 10.77.250, 10.77.900, 10.77.910, 10.77.920, and 10.77.930; and prescribing penalties.

Referred to Committee on Judiciary.

HB 592 by Representative Appelwick

AN ACT Relating to the uniform statutory will act; amending RCW 11.97.010 and 11.97.900; and adding a new chapter to Title 11 RCW.

Referred to Committee on Judiciary.

HB 593 by Representatives Armstrong, Holland and Tanner

AN ACT Relating to the administrative revocation of drivers' licenses; amending RCW 46.04.480, 46.20.285, 46.20.308, 46.20.311, 46.20.391, and 46.20.599; repealing RCW 46.20.393, 46.20.600, 46.20.610, 46.20.620, 46.20.630, 46.20.640, 46.20.650, 46.20.660, 46.20.670, 46.20.680, 46.20.690, 46.20.700, and 46.68.062; decodifying RCW 46.68.055; declaring an emergency; and providing effective dates.

Referred to Committee on Judiciary.

HB 594 by Representatives Tanner, Long and Sryan

AN ACT Relating to correctional institutions; and adding new sections to chapter 72.09 RCW.

Referred to Committee on Social & Health Services.

HB 595 by Representatives Tanner, Leonard, P. King and Long

AN ACT Relating to treatment of nonviolent criminal offenders; adding a new section to chapter 9.94A RCW; and adding a new chapter to Title 72 RCW.

Referred to Committee on Social & Health Services.

HB 596 by Representatives Hine, Barnes and Valle

AN ACT Relating to aircraft noise abatement; and amending RCW 53.54.030.

Referred to Committee on Local Government.

HB 597 by Representatives Hargrove, L. Smith, Smitherman, Holland, S. Wilson, Haugen, Fuhrman, Patrick, Padden, Bristow, Thomas, Bond, van Dyke, Ballard, Doty, Dobbs, Isaacson and Van Luven

AN ACT Relating to home schools and unapproved church schools; adding a new section to chapter 28A.27 RCW; creating new sections; declaring an emergency; and providing an expiration date.

Referred to Committee on Education.

HB 598 by Representatives Grimm, Holland and Sanders

AN ACT Relating to cigarette taxation; amending RCW 82.24.020; adding a new section to chapter 82.32 RCW; and providing an effective date.

Referred to Committee on Ways & Means.

HB 599 by Representatives Grimm, Valle and Brekke

AN ACT Relating to the taxation of the privilege of receiving income from intangible personal property; amending RCW 82.32.070; adding a new chapter to Title 82 RCW; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 600 by Representatives Grimm, Valle, Cole and Sanders

AN ACT Relating to cigarette taxation; amending RCW 82.24.020; and providing an effective date.

Referred to Committee on Ways & Means.

HB 601 by Representatives Nutley, J. King, Peery, Sutherland, Tanner, Zellinsky, Walk, Lux, Appelwick, Fuhrman, L. Smith and Isaacson

AN ACT Relating to excise taxes; and amending RCW 82.08.050, 82.08.010, and 82.08.120.

Referred to Committee on Ways & Means.

HB 602 by Representatives Nutley, May, Hine, Brough, Bristow and Haugen

AN ACT Relating to surveys in divisions of land; and amending RCW 58.17.160.

Referred to Committee on Local Government.

HB 603 by Representative Grimm

AN ACT Relating to the state actuary; amending RCW 44.44.010 and 44.44.030; and providing an effective date.

Referred to Committee on Ways & Means.

HB 604 by Representative Grimm

AN ACT Relating to the debt limit; amending RCW 39.42.060; and providing an effective date.

Referred to Committee on Ways & Means.

HB 605 by Representatives Unsoeld and Belcher



AN ACT Relating to boundary review boards; and amending RCW 36.93.150.

Referred to Committee on Local Government.

HB 606 by Representatives Unsoeld, Belcher, Haugen and K. Wilson

AN ACT Relating to lake improvements; and adding a new chapter to Title 36 RCW.

Referred to Committee on Local Government.

HB 607 by Representatives Unsoeld, Vekich, Sayan and Belcher

AN ACT Relating to shellfish; adding a new section to chapter 75.24 RCW; and making an appropriation.

Referred to Committee on Natural Resources.

HB 608 by Representatives Haugen, S. Wilson, McMullen and Lundquist

AN ACT Relating to aquaculture; adding a new chapter to Title 75 RCW; and prescribing penalties.

Referred to Committee on Natural Resources.

HB 609 by Representatives D. Nelson, K. Wilson, Jacobsen, Prince, Allen, Vander Stoep, Tanner, Miller, Wang and Wineberry

AN ACT Relating to the governing bodies of institutions of higher education; and amending RCW 28B.20.100, 28B.30.100, 28B.35.100, and 28B.40.100.

Referred to Committee on Higher Education.

HB 610 by Representatives Brekke and B. Williams

AN ACT Relating to the state board of health; amending RCW 43.20.050, 43.20A.600, 18.20.020, 18.20.060, 18.20.090, 18.20.110, 18.46.010, 18.46.050, 18.46.060, 19.32.110, 35A.70.070, 69.12.070, 70.01.010, 70.41.010, 70.41.020, 70.41.030, 70.41.040, 70.41.080, 70.41.110, 70.41.120, 70.41.130, 70.41.140, 70.41.150, 70.41.160, 70.41.180, 70.41.190, 43.131.213, and 43.131.214; amending section 3, chapter 243, Laws of 1984 (uncodified); adding a new section to chapter 9.02 RCW; creating a new section; repealing RCW 35A.70.030, 69.20.095, 69.20.100, 70.16.010, 70.16.020, 70.16.030, 70.16.040, 70.16.050, 70.16.060, 70.16.070, 70.16.080, 70.16.090, 70.16.100, 70.16.110, 70.16.120, 70.16.130, 70.16.140, 70.16.150, 70.16.160, 70.16.170, 70.16.180, 70.16.190, 70.16.200, 70.20.010, 70.20.020, 70.20.030, 70.20.040, 70.20.050, 70.20.060, 70.20.070, 70.20.080, 70.20.090, 70.20.100, 70.20.110, 70.20.120, 70.20.130, 70.20.150, 70.20.160, 70.20.165, 70.20.170, 70.20.180, and 70.20.185; declaring an emergency; and providing an effective date.

Referred to Committee on Social & Health Services.

HB 611 by Representatives Locke and Grimm

AN ACT Relating to courts; and creating a new section.

Referred to Committee on Judiciary.

HB 612 by Representatives Belcher, Hankins and Unsoeld; by Secretary of State request

AN ACT Relating to the records committee; and amending RCW 40.14.050.

Referred to Committee on State Government.

HB 613 by Representatives Sommers, Walker, Thomas, Tilly, Hastings and Long; by Attorney General request

AN ACT Relating to initiatives; amending RCW 29.79.015; and adding a new section to chapter 29.79 RCW.

Referred to Committee on Constitution, Elections & Ethics.

HB 614 by Representatives Grimm, Prince, Rayburn, Basich, Jacobsen, Miller, Allen, Vander Stoep, Unsoeld, Sommers, McMullen, G. Nelson, K. Wilson, Belcher, D. Nelson, Kremen and Wineberry

AN ACT Relating to services and activities fees at institutions of higher education; and amending RCW 28B.15.044 and 28B.15.045.

Referred to Committee on Higher Education.

HB 615 by Representatives D. Nelson, Cole, Jacobsen and P. King

AN ACT Relating to sales and use taxation; amending RCW 82.12.045; adding a new section to chapter 82.08 RCW; and adding a new section to chapter 82.12 RCW.

Referred to Committee on Ways & Means.

**HB 616** by Representatives Jacobsen, Sommers and Wineberry

AN ACT Relating to higher education tuition and fees; amending RCW 28B.10.265, 28B.14C.010, 28B.14C.080, 28B.14C.090, 28B.14C.100, 28B.14C.110, 28B.14C.120, 28B.14C.130, 28B.14D.900, 28B.14G.900, 28B.15.020, 28B.15.041, 28B.15.067, 28B.15.070, 28B.15.076, 28B.15.100, 28B.15.202, 28B.15.210, 28B.15.220, 28B.15.310, 28B.15.380, 28B.15.402, 28B.15.502, 28B.15.520, 28B.15.522, 28B.15.535, 28B.15.540, 28B.15.543, 28B.15.545, 28B.15.600, 28B.15.615, 28B.15.740, 28B.15.800, 28B.15.805, 28B.15.820, 28B.20.700, 28B.20.705, 28B.20.715, 28B.20.720, 28B.20.735, 28B.30.700, 28B.30.710, 28B.30.730, 28B.30.740, 28B.31.100, 28B.35.361, 28B.35.370, 28B.35.700, 28B.35.710, 28B.35.720, 28B.35.750, 28B.40.361, 28B.50.320, 28B.50.340, 28B.50.350, 28B.50.360, 28B.50.370, 28B.57.080, 28B.58.070, 28B.59.070, 28B.59B.070, 28B.59C.070, and 28B.59D.060; and repealing RCW 28B.15.031.

Referred to Committee on Higher Education.

**HB 617** by Representatives Vekich, Sayan, Madsen, R. King and Dobbs

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

Referred to Committee on Ways & Means.

**HB 618** by Representative D. Nelson

AN ACT Relating to radioactive waste; and amending RCW 82.04.260.

Referred to Committee on Energy & Utilities.

**HB 619** by Representatives B. Williams, Unsoeld, Addison, Schoon, Thomas, Tanner, Taylor, Patrick, Ebersole, K. Wilson, Ballard, L. Smith and Dobbs; by Attorney General request

AN ACT Relating to unfair practices; and adding a new section to chapter 49.60 RCW.

Referred to Committee on State Government.

**HB 620** by Representatives Sayan, Wang, Unsoeld, R. King, Fisch, Fisher, Belcher, Basich, Vekich and Lux

AN ACT Relating to economic stabilization and worker displacement; adding a new chapter to Title 49 RCW; prescribing penalties; making an appropriation; and declaring an emergency.

Referred to Committee on Commerce & Labor.

**HB 621** by Representatives Leonard, Lewis, Day and Lux

AN ACT Relating to certifying radiological technologists and nuclear medicine technologists; amending RCW 18.130.040; adding a new chapter to Title 18 RCW; making an appropriation; and providing an effective date.

Referred to Committee on Social & Health Services.

**HB 622** by Representatives Vekich, Braddock, Basich, Kremen, J. King, Nutley, Schoon, Sanders, Peery, McMullen, Hargrove, L. Smith, Niemi, Brough, Bristow, Unsoeld, Todd, Allen, Armstrong, D. Nelson, Cole, Appelwick, Smitherman, G. Nelson, P. King and May

AN ACT Relating to the Washington centennial commission; amending RCW 27.60.900; adding a new section to chapter 27.60 RCW; and creating a new section.

Referred to Committee on Trade & Economic Development.

**HB 623** by Representatives Lux, Winsley and Zellinsky; by Department of General Administration request

AN ACT Relating to banks and banking; amending RCW 30.04.010, 30.04.060, 30.04.230, 30.12.060, 30.42.100, and 30.42.115; and declaring an emergency.

Referred to Committee on Financial Institutions & Insurance.

**HB 624** by Representatives McMullen, Smitherman, Fisch, Vekich, Ebersole, P. King and Lux

AN ACT Relating to retirement benefits based on excess compensation; and repealing RCW 41.50.150.

Referred to Committee on Ways & Means.

**HB 625** by Representative McMullen

AN ACT Relating to the department of commerce and economic development; amending RCW 43.31.375, 43.31.377, 43.31.379, 43.31.381, 43.31.383, 43.31.385, 43.31.390, 43.31.820, 43.31.830, 43.31.832, 43.31.833, 43.31.834, 43.31.840, 19.02.040, 19.02.050, 24.46.010, 28C.04.440, 28C.04.460, 31.24.030, 35.21.800, 36.01.120, 39.19.040, 39.84.090, 43.17.010, 43.17.020, 43.21.260, 43.21A.170, 43.21A.510, 43.21A.515, 43.63A.075, 43.83.184, 43.96D.010, 43.96D.020, 43.96D.040, 43.160.020, 43.160.030, 43.170.020, 43.170.030, 43.175.010, 43.175.020, 43.210.050, 43.210.060, 50.38.030, 67.16.100, 67.34.010, 70.95.265, and 76.09.030; reenacting and amending RCW 80.50.030; adding new sections to chapter 43.31 RCW; creating new sections; recodifying RCW 43.31.400, 43.31.405, 43.31.410, 43.31.415, and 43.31.420; decodifying RCW 43.31.500, 43.31.510, 43.31.520, 43.31.525, 43.31.530, 43.31.540, 43.31.550, 43.31.560, 43.31.570, 43.31.580, 43.31.590, 43.31.620, 43.31.630, 43.31.640, 43.31.660, 43.31.670, 43.31.680, 43.31.690, 43.31.700, 43.31.710, 43.31.720, 43.31.730, 43.31.740, 43.31.750, 43.31.760, 43.31.770, 43.31.865, 43.63A.090, 43.96B.010, 43.96B.020, 43.96B.030, 43.96B.060, 43.96B.070, 43.96B.080, 43.96B.090, 43.96B.100, 43.96B.110, 43.96B.120, 43.96B.140, 43.96C.010, 43.96C.020, 43.96C.030, 43.96C.040, 43.96C.050, and 43.96C.060; repealing RCW 43.31.020, 43.31.040, 43.31.050, 43.31.060, 43.31.070, 43.31.080, 43.31.110, 43.31.120, 43.31.140, 43.31.150, 43.31.160, 43.31.170, 43.31.180, 43.31.350, 43.31.360, 43.31.370, 43.31.800, 43.31.831, 43.31.860, 43.31.870, 43.31.875, 43.31.880, 43.31.885, 43.31.890, 43.31.895, 43.31.900, 43.31.910, 43.31.915, 43.31.920, 43.31.925, 43.31.930, 43.31.935, 43.31.940, 43.31.942, 43.31.944, 43.31.946, 43.31.948, 43.31.956, 43.31.958, 43.31.960, 43.31.962, 43.31.964, 43.131.257, 43.131.258, 43.31B.010, 43.31B.020, 43.31B.030, 43.31B.040, 43.31B.050, 43.31B.900, 43.131.317, and 43.131.318; providing an effective date; and declaring an emergency.

Referred to Committee on Trade & Economic Development.

**HB 626** by Representative McMullen

AN ACT Relating to the department of commerce and economic development; repealing RCW 43.131.257 and 43.131.258; providing an effective date; and declaring an emergency.

Referred to Committee on Trade & Economic Development.

**HB 627** by Representatives Tanner, B. Williams, McMullen, Silver, Kremen, L. Smith, Vekich, Smitherman, Hargrove, Schoon, Day, Wineberry, Zellinsky, Haugen, Gallagher, Ebersole, Dellwo, Thomas, Winsley, G. Nelson, P. King, Wang, Long, Isaacson and May

AN ACT Relating to economic development; adding a new chapter to Title 43 RCW; adding a new section to chapter 41.06 RCW; making an appropriation; and declaring an emergency.

Referred to Committee on Trade & Economic Development.

**HB 628** by Representatives Tanner, L. Smith, Zellinsky, Haugen, Gallagher, Hargrove, Ebersole, Winsley, Todd, P. King, Ballard, Dobbs and Isaacson

AN ACT Relating to presumptive sentences; amending RCW 9.94A.370; adding a new section to chapter 9.94A RCW; and prescribing penalties.

Referred to Committee on Judiciary.

**HB 629** by Representatives Cole, R. King, Ebersole, Scott, Betrozoff, Walker, Taylor, Armstrong, Jacobsen, Basich, Unsoeld, P. King, Leonard, Long, Appelwick, Vekich, Rust, Todd, D. Nelson, Belcher and Barnes

AN ACT Relating to excess levies for capital purposes; and amending RCW 84.52.056.

Referred to Committee on Local Government.

**HB 630** by Representative Fisher

AN ACT Relating to elections; amending RCW 28A.57.322, 29.04.040, 29.04.055, 35.23.190, 35.24.080, 35.27.120, 35A.12.080, 52.14.070, 53.12.150, 54.12.100, and 68.16.180; and repealing RCW 29.54.180.

Referred to Committee on Constitution, Elections & Ethics.

**HB 631** by Representatives Fisch, Fisher, Cole, Dellwo, Rust, P. King, Wang and Wineberry

AN ACT Relating to elections; amending RCW 29.07.160; and adding a new section to chapter 29.07 RCW.

Referred to Committee on Constitution, Elections & Ethics.

**HB 632** by Representatives Fisch, Fisher and Cole

AN ACT Relating to elections; and amending RCW 29.21.060.

Referred to Committee on Constitution, Elections & Ethics.

**HB 633** by Representatives Fisch, Fisher and Cole

AN ACT Relating to elections; and amending RCW 29.27.060.

Referred to Committee on Constitution, Elections & Ethics.

**HB 634** by Representatives Fisher and Betzoff

AN ACT Relating to automotive repair; and adding a new section to chapter 46.71 RCW.

Referred to Committee on Transportation.

**HB 635** by Representative Fisher

AN ACT Relating to elections; and amending RCW 29.10.140.

Referred to Committee on Constitution, Elections & Ethics.

**HB 636** by Representatives Fisher, Barnes, Fisch, Cole and Crane

AN ACT Relating to vacancies in the representation of this state in the United States Congress; amending RCW 29.13.047, 29.68.070, 29.68.080, 29.68.100, 29.68.120, 29.68.130, and 29.80.010; creating a new section; and repealing RCW 29.68.090 and 29.68.110.

Referred to Committee on Constitution, Elections & Ethics.

**HB 637** by Representatives Braddock, G. Nelson, Kremen, Fisher, K. Wilson and Unsoeld

AN ACT Relating to water quality; and amending RCW 90.48.010, 90.52.040, and 90.54.020.

Referred to Committee on Environmental Affairs.

**HB 638** by Representatives Braddock, West, Tanner, Patrick, Ebersole, Brough and Van Luven

AN ACT Relating to correctional institutions; repealing RCW 72.13.091; and declaring an emergency.

Referred to Committee on Social & Health Services.

**HB 639** by Representatives Belcher, Ebersole, Niemi, P. King and Isaacson

AN ACT Relating to the Washington state arts commission; amending RCW 43.46.010, 43.46.020, 43.46.030, 43.46.040, 43.46.050, 43.46.070, and 43.131.261; adding a new section to chapter 28A.58 RCW; adding a new section to chapter 28B.10 RCW; adding a new section to chapter 43.17 RCW; adding a new section to chapter 43.46 RCW; repealing RCW 43.46.055, 43.46.080, 43.46.095, 43.17.200, 43.17.205, 43.17.210, 43.19.455, 28A.58.055, 28B.10.025, and 28B.10.027; providing an effective date; and declaring an emergency.

Referred to Committee on State Government.

**HB 640** by Representative Patrick

AN ACT Relating to excise taxation; and amending RCW 82.32.045.

Referred to Committee on Ways & Means.

**HB 641** by Representative Grimm

AN ACT Relating to retirement system funding; amending RCW 2.10.090, 2.12.060, 41.26.040, 41.26.080, 41.26.450, 41.32.401, 41.32.775, 41.40.361, 41.40.650, and 43.43.220; and providing an effective date.

Referred to Committee on Ways & Means.

HB 642 by Representatives Leonard, Valle, Tanner, Sayan, B. Williams, West, Armstrong, Ballard, Day, Lewis and Wineberry

AN ACT Relating to community mental health services; amending RCW 71.24.015, 71.24.025, 71.24.035, 71.24.045, and 71.24.155; and making an appropriation.

Referred to Committee on Social & Health Services.

HB 643 by Representative Grimm; by Office of Financial Management request

AN ACT Relating to billing for employers' payments to the public employees' retirement system; and amending RCW 41.40.370.

Referred to Committee on Ways & Means.

HB 644 by Representatives Walk, Schmidt and J. Williams

AN ACT Relating to construction contracting by counties; and amending RCW 36.77.065.

Referred to Committee on Transportation.

HB 645 by Representatives Walk, Schmidt, McMullen, C. Smith, Wineberry and Betzoff

AN ACT Relating to construction and maintenance of highways; and amending RCW 47.28.030.

Referred to Committee on Transportation.

HB 646 by Representatives Appelwick, West, Dellwo, Lewis and Crane

AN ACT Relating to attorneys' fees; and amending RCW 39.08.030, 60.04.130, and 60.28.030.

Referred to Committee on Judiciary.

HB 647 by Representatives Appelwick and Leonard; by Pharmacy Board request

AN ACT Relating to pharmacies; amending RCW 18.64.165; adding a new section to chapter 18.64 RCW; and prescribing penalties.

Referred to Committee on Social & Health Services.

HB 648 by Representatives Ballard, Padden and Long

AN ACT Relating to county recordkeeping; and amending RCW 70.58.030 and 43.20A.630.

Referred to Committee on Local Government.

HB 649 by Representatives Ballard, R. King, Wang and Padden

AN ACT Relating to electricians and electrical installations; and amending RCW 19.28.005 and 19.28.120.

Referred to Committee on Commerce & Labor.

HB 650 by Representatives Ballard and Padden

AN ACT Relating to the limitation of employer classification by the department of labor and industries; and amending RCW 51.16.035.

Referred to Committee on Commerce & Labor.

HB 651 by Representatives Wang, Sayan and P. King

AN ACT Relating to collective bargaining; amending RCW 41.56.020, 41.56.030, and 41.56.460; and adding a new section to chapter 41.56 RCW.

Referred to Committee on Commerce & Labor.

HB 652 by Representatives Wang, Smitherman, Fisher, Vekich, Thomas, Sayan and Wineberry

AN ACT Relating to health care for the unemployed; creating new sections; making an appropriation; and providing an expiration date.

Referred to Committee on Commerce & Labor.

HB 653 by Representatives Valle, Barnes, Unsoeld, Patrick, Rust, Brough, D. Nelson, Cole, K. Wilson, Lux, Miller, Crane and May

AN ACT Relating to pollution in Puget Sound; creating new sections; and declaring an emergency.

Referred to Select Committee on the Clean-up and Management of Puget Sound.

HB 654 by Representatives B. Williams, Schoon, Thomas, Padden, Bond and Fuhrman

AN ACT Relating to the department of social and health services; adding a new section to chapter 43.20A RCW; adding a new section to chapter 43.88 RCW; and creating new sections.

Referred to Committee on Social & Health Services.

HB 655 by Representatives Smitherman, Hine, Gallagher, Vekich, Thomas, S. Wilson, G. Nelson, Ebersole, R. King, Fisher, Todd, P. King, Wang, Wineberry, Unsoeld and May

AN ACT Relating to Puget Sound management and cleanup; amending RCW 90.70.010, 90.70.020, and 90.70.900; adding new sections to chapter 90.70 RCW; and making an appropriation.

Referred to Select Committee on the Clean-up and Management of Puget Sound.

HB 656 by Representatives Sommers, Vander Stoep and Grimm

AN ACT Relating to higher education funding; and adding a new section to chapter 28B.10 RCW.

Referred to Committee on Higher Education.

HB 657 by Representatives Sommers, Tilly, Braddock, B. Williams, Wang, Grimm, Silver, Scott and Isaacson

AN ACT Relating to the law enforcement officers' and fire fighters' retirement system; amending RCW 41.26.140; and adding a new section to chapter 41.26 RCW.

Referred to Committee on Ways & Means.

HB 658 by Representatives Crane and Todd

AN ACT Relating to negligent driving; and amending RCW 46.61.525, 46.63.020, 7.68-.035, and 10.31.100.

Referred to Committee on Judiciary.

HB 659 by Representatives Berozoff and Miller; by 1989 Washington Centennial Commission request

AN ACT Relating to the centennial partnership corporation; amending section 3, chapter 231, Laws of 1984 (uncodified); amending section 4, chapter 231, Laws of 1984 (uncodified); amending section 5, chapter 231, Laws of 1984 (uncodified); amending section 6, chapter 231, Laws of 1984 (uncodified); amending section 8, chapter 231, Laws of 1984 (uncodified); amending section 9, chapter 231, Laws of 1984 (uncodified); amending section 11, chapter 231, Laws of 1984 (uncodified); adding new sections to chapter 27.60 RCW; adding a new section to chapter 41.06 RCW; repealing section 7, chapter 231, Laws of 1984 (uncodified); making an appropriation; providing an effective date; and declaring an emergency.

Referred to Committee on Trade & Economic Development.

HB 660 by Representatives Gallagher, Schmidt, Haugen, Holland, S. Wilson and J. Williams; by Washington State Patrol, Utilities and Transportation Commission request

AN ACT Relating to private carriers; adding a new chapter to Title 46 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Transportation.

HB 661 by Representatives Wang, Fisher, R. King, Fisch and Sayan

AN ACT Relating to duties of the public employment relations commission; amending RCW 49.36.010; and adding new sections to chapter 49.36 RCW.

Referred to Committee on Commerce & Labor.

HB 662 by Representatives Jacobsen, Appelwick, O'Brien, Tanner, Ebersole and Wineberry

AN ACT Relating to property tax exemptions for low-income housing; and amending RCW 84.36.451 and 35.21.755.

Referred to Committee on Ways & Means.

HB 663 by Representatives Sanders, Haugen, Isaacson, Sayan and J. Williams

AN ACT Relating to fisheries; amending RCW 75.08.011, 75.08.012, 75.08.014, 75.08.020, 75.08.025, 75.08.040, 75.08.045, 75.08.055, 75.08.065, 75.08.070, 75.08.080, 75.08.090, 75.08.110, 75.08.160, 75.08.206, 75.08.230, 75.08.265, 75.08.285, 75.10.010, 75.10.020, 75.10.030, 75.10.040, 75.10.050, 75.10.080, 75.10.100, 75.10.110, 75.10.120, 75.10.130, 75.10.140, 75.12.010, 75.12.015, 75.12.020, 75.12.070, 75.12.100, 75.12.115, 75.12.132, 75.12.410, 75.12.420, 75.12.650, 75.20.060, 75.20.061, 75.20.090, 75.24.030, 75.24.050, 75.24.060, 75.24.070, 75.24.080, 75.24.090, 75.24.100, 75.24.110, 75.24.120, 75.24.130, 75.25.080, 75.25.130, 75.28.030, 75.28.035, 75.28.110, 75.28.113, 75.28.255, 75.28.265, 75.28.280, 75.28.690, 75.30.050, 75.30.130, 75.30.140, 75.40.020, 75.40.040, 75.40.060, 75.44.110, 75.44.120, 75.44.130, 75.44.140, 75.48.090, 75.48.120, 43.220.140, 77.08-.010, 77.12.020, 77.16.060, 79.96.030, 79.96.100, and 79.96.110; adding new sections to chapter 75.08 RCW; and creating a new section.

Referred to Committee on Natural Resources.

HB 664 by Representatives Jacobsen, Tanner, Leonard, Scott and Wang

AN ACT Relating to child care; creating new sections; and making an appropriation.

Referred to Committee on Trade & Economic Development.

HB 665 by Representatives Jacobsen, Tanner, Scott and Wang

AN ACT Relating to child care; and adding a new chapter to Title 74 RCW.

Referred to Committee on Trade & Economic Development.

HB 666 by Representatives Jacobsen, Lux and Wang

AN ACT Relating to child care; and creating new sections.

Referred to Committee on State Government.

HB 667 by Representatives Jacobsen, K. Wilson, Scott, Wang and Wineberry

AN ACT Relating to child care; and creating new sections.

Referred to Committee on Social & Health Services.

HB 668 by Representatives Appelwick, Cole, Wang, Valle, Rayburn, Todd, Jacobsen and K. Wilson

AN ACT Relating to remediation; and amending RCW 28A.41.404 and 28A.41.406.

Referred to Committee on Education.

HB 669 by Representative P. King

AN ACT Relating to recreational water contact facilities; adding a new chapter to Title 70 RCW; repealing RCW 70.90.010, 70.90.020, 70.90.030, 70.90.040, and 70.90.900; prescribing penalties; making an appropriation; and declaring an emergency.

Referred to Committee on Social & Health Services.

HB 670 by Representatives Basich and Hargrove

AN ACT Relating to commercial salmon fishing licenses; and amending RCW 75.28.110.

Referred to Committee on Natural Resources.

HB 671 by Representatives Allen, Vekich, Brough, Hine, Jacobsen, Winsley and Hankins

AN ACT Relating to statements used to describe ballot propositions; amending RCW 29.27.060, 29.79.040, 29.79.050, and 29.79.060; and adding new sections to chapter 29.27 RCW.

Referred to Committee on Constitution, Elections & Ethics.

HB 672 by Representatives Sommers, Jacobsen, Brough, Ebersole, Holland and Fisher

AN ACT Relating to special levies for school districts; reenacting and amending RCW 84.52.0531; and declaring an emergency.

Referred to Committee on Education.

HB 673 by Representatives Locke, P. King, Crane, Dellwo, McMullen, Grimm and Lux

AN ACT Relating to insurance reporting; and adding new sections to chapter 48.05 RCW.

Referred to Committee on Financial Institutions & Insurance.

HB 674 by Representatives McMullen, Wang and P. King

AN ACT Relating to health care providers' privileged communications; and amending RCW 5.60.060.

Referred to Committee on Judiciary.

HB 675 by Representatives Niemi, Barrett, Dellwo, Crane, Lewis, Appelwick, Tilly, Armstrong, Padden, Schmidt, Scott, Wang and Long

AN ACT Relating to stepchildren; and amending RCW 4.20.020 and 4.20.060.

Referred to Committee on Judiciary.

HB 676 by Representatives Appelwick, P. King, Padden, Dellwo, McMullen, Armstrong, Wang, Schmidt and Tanner

AN ACT Relating to interest on judgments; and amending RCW 4.56.110 and 4.56.115.

Referred to Committee on Judiciary.

HB 677 by Representatives Lux, Winsley, Barrett, Lewis, Locke, Sanders, P. King, Dellwo, Crane and Ballard

AN ACT Relating to collecting of public debts; and amending RCW 19.16.500.

Referred to Committee on Financial Institutions & Insurance.

HB 678 by Representatives O'Brien, Jacobsen, Locke, P. King, Wineberry and Unsoeld

AN ACT Relating to a Puget Sound port council; and adding a new chapter to Title 53 RCW.

Referred to Committee on Trade & Economic Development.

HB 679 by Representatives Rust, Allen, Unsoeld and K. Wilson

AN ACT Relating to underground storage tanks; adding new sections to chapter 90.48 RCW; and prescribing penalties.

Referred to Committee on Environmental Affairs.

HB 680 by Representatives Rust, Valle, Allen, Unsoeld, Ebersole, Cole, Sayan and P. King

AN ACT Relating to water quality; adding new sections to chapter 43.21A RCW; and creating a new section.

Referred to Select Committee on the Clean-up and Management of Puget Sound.

HB 681 by Representatives Valle, Rust, Allen and Isaacson

AN ACT Relating to the solid waste advisory committee; and amending RCW 70.95.040.

Referred to Committee on Environmental Affairs.



HB 682 by Representatives Sayan, Tanner and L. Smith

AN ACT Relating to business and occupation taxation; and adding a new section to chapter 82.04 RCW.

Referred to Committee on Ways & Means.

HB 683 by Representatives Sayan, Tilly, Belcher, Allen, Patrick, Vander Stoep, Rayburn, Vekich, Nutley, J. Williams, Armstrong, Baugher, Crane, Peery and Sanders

AN ACT Relating to liquor control board employees; and amending RCW 66.16.030.

Referred to Committee on State Government.

HB 684 by Representative Sayan

AN ACT Relating to leasehold excise taxation; and amending RCW 82.29A.020.

Referred to Committee on Ways & Means.

HB 685 by Representative Sayan

AN ACT Relating to the regulation of beer and wine sales; and amending RCW 66.08.030.

Referred to Committee on Commerce & Labor.

HB 686 by Representatives Sayan and Lux

AN ACT Relating to compensation for temporary or permanent disability; and amending RCW 51.32.220.

Referred to Committee on Commerce & Labor.

HB 687 by Representatives Sayan, Vekich, Fisch, Cole, Rust and Unsoeld

AN ACT Relating to Hood Canal; and adding new sections to chapter 90.58 RCW.

Referred to Select Committee on the Clean-up and Management of Puget Sound.

HB 688 by Representatives Belcher, Niemi, Allen, Scott, Cole, Miller, Hankins and Wang

AN ACT Relating to minority and women-owned business enterprises; amending RCW 39.19.010, 39.19.020, 39.19.030, 39.19.060, 39.19.070, 39.19.080, and 39.19.090; adding new sections to chapter 39.19 RCW; and prescribing penalties.

Referred to Committee on State Government.

HB 689 by Representatives Belcher, Leonard, Scott, Cole, Brough and Wang

AN ACT Relating to comparable worth; and adding a new chapter to Title 41 RCW.

Referred to Committee on State Government.

HB 690 by Representative Belcher

AN ACT Relating to service credit in state retirement systems; adding a new section to chapter 43.43 RCW; and adding a new section to chapter 41.40 RCW.

Referred to Committee on State Government.

HB 691 by Representatives Belcher, Dellwo, Brooks and Hastings

AN ACT Relating to funeral directors and embalmers; amending RCW 18.39.010, 18.39.035, 18.39.045, 18.39.070, 18.39.170, 18.39.173, 18.39.195, 18.39.250, and 18.39.350; and adding a new section to chapter 18.39 RCW.

Referred to Committee on State Government.

HB 692 by Representatives C. Smith, R. King, Prince, Brooks, Baugher, Silver, Nealey, Allen and P. King

AN ACT Relating to paint horses; amending RCW 67.16.010, 67.16.070, 67.16.080, 67.16.090, and 67.16.180; and creating a new section.

Referred to Committee on Commerce & Labor.

HB 693 by Representatives Dellwo, Day, Bristow, Tanner, Armstrong, D. Nelson and Jacobsen

AN ACT Relating to mental health; and adding new sections to chapter 71.05 RCW.

Referred to Committee on Social & Health Services.

HB 694 by Representatives Grimm, Locke, Appelwick, Betrozoff, Ebersole, Long, Sommers, Holland, Hine, J. King and Walker

AN ACT Relating to education; amending RCW 28A.41.130, 28A.41.140, 28A.41.162, and 28A.58.095; reenacting and amending RCW 84.52.0531; creating a new section; and providing an effective date.

Referred to Committee on Education.

HB 695 by Representatives Ebersole, Brough, McMullen, Niemi, Smitherman and Braddock

AN ACT Relating to dispute resolution; adding a new chapter to Title 43 RCW; and making an appropriation.

Referred to Committee on Trade & Economic Development.

HB 696 by Representatives Padden, L. Smith, Patrick, Day, Dobbs, Ballard, B. Williams, Isaacson, Bond, van Dyke and Fuhrman

AN ACT Relating to fetal pain; and adding a new section to chapter 18.71 RCW.

Referred to Committee on Social & Health Services.

HB 697 by Representative Sanders

AN ACT Relating to public employees; adding a new section to chapter 41.04 RCW; and declaring an emergency.

Referred to Committee on State Government.

HB 698 by Representatives Zellinsky, Smitherman, Schmidt, Haugen and J. Williams

AN ACT Relating to liens; amending RCW 60.48.010; and adding a new section to chapter 60.48 RCW.

Referred to Committee on Judiciary.

HB 699 by Representatives R. King and K. Wilson

AN ACT Relating to powers of the public disclosure commission; and amending RCW 42.17.360 and 42.17.390.

Referred to Committee on Constitution, Elections & Ethics.

HB 700 by Representatives Appelwick, Ebersole, Hine and Haugen

AN ACT Relating to the uniform unclaimed property act; amending RCW 63.29.020 and 63.29.080; and repealing RCW 63.29.150.

Referred to Committee on Local Government.

HB 701 by Representatives Lux, Zellinsky, Winsley, Crane, Vekich, Basich, Addison, Locke, Lewis, Niemi, Holland, D. Nelson, Patrick, Leonard, Nutley, Ebersole, Todd, Wang, Doty and Wineberry

AN ACT Relating to financial institutions; and creating new sections.

Referred to Committee on Financial Institutions & Insurance.

HB 702 by Representatives Lux, Winsley, Niemi and Holland

AN ACT Relating to credit card transactions; amending RCW 63.14.010, 63.14.130, and 63.14.167; repealing RCW 63.14.165; and providing an effective date.

Referred to Committee on Financial Institutions & Insurance.

HB 703 by Representative Lux

AN ACT Relating to state parks; amending RCW 43.51.060; and adding a new section to chapter 43.51 RCW.

Referred to Committee on Natural Resources.

HB 704 by Representatives Lux, Tanner, Ebersole and Scott

AN ACT Relating to state parks; and adding a new section to chapter 43.51 RCW.

Referred to Committee on Environmental Affairs.

HB 705 by Representatives Lux, Winsley, Zellinsky, Crane, Niemi and Leonard

AN ACT Relating to regulation of lenders and loan brokers; adding a new chapter to Title 19 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Financial Institutions & Insurance.

HB 706 by Representatives Lux, Sanders, Crane, Barrett, Locke, Winsley, Padden, McMullen, Sommers, Wang and Holland

AN ACT Relating to financial institutions; adding a new chapter to Title 30 RCW; and providing an effective date.

Referred to Committee on Financial Institutions & Insurance.

HB 707 by Representatives Winsley, Sanders, Lux, Zellinsky, Belcher, Holland, Wang and Wineberry

AN ACT Relating to financial institutions and administration of securities laws; amending RCW 21.20.005, 21.20.450, 21.20.720, 30.12.190, 31.12.005, 43.17.010, 43.17.020, 43.19.010, 43.19.020, 43.19.040, 43.19.095, 43.19.100, 43.19.110, 43.19.112, 43.24.020, 43.24.024, 46.01.011, and 46.01.050; adding a new chapter to Title 43 RCW; creating new sections; recodifying RCW 43.19.020, 43.19.030, 43.19.040, 43.19.050, 43.19.090, 43.19.095, 43.19.100, 43.19.110, and 43.19.112; providing an effective date; and declaring an emergency.

Referred to Committee on Financial Institutions & Insurance.

HB 708 by Representatives Holland, Winsley and Lux

AN ACT Relating to exemptions from securities registration; and amending RCW 21.20.310.

Referred to Committee on Financial Institutions & Insurance.

HB 709 by Representatives Brough, Holland, Schoon, Patrick, Miller and Hankins

AN ACT Establishing a school district equalized calculation formula; and reenacting and amending RCW 84.52.0531.

Referred to Committee on Education.

HB 710 by Representative Lewis

AN ACT Relating to juveniles; amending RCW 13.32A.050; adding a new section to chapter 13.32A RCW; adding new sections to chapter 13.34 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Judiciary.

HB 711 by Representatives Lewis, Armstrong, Barrett, Ebersole, Rayburn, Doty and Isaacson

AN ACT Relating to juvenile justice; amending RCW 13.40.080; and adding a new section to chapter 13.40 RCW.

Referred to Committee on Judiciary.

HB 712 by Representative Sutherland

AN ACT Relating to labor and industries; and amending RCW 51.28.070.

Referred to Committee on Commerce & Labor.

HB 713 by Representatives O'Brien, Gallagher, S. Wilson and Isaacson

AN ACT Relating to automotive passenger restraint systems; adding a new section to chapter 46.37 RCW; adding a new section to chapter 46.61 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Transportation.

HB 714 by Representative D. Nelson

AN ACT Relating to electric generating power facilities; and repealing RCW 54.44-.010, 54.44.020, 54.44.030, 54.44.040, 54.44.050, 54.44.060, 54.44.900, 54.44.901, and 54.44.910.

Referred to Committee on Energy & Utilities.

HB 715 by Representatives Todd, Unsoeld, Wineberry, Cole, Appelwick, Sommers, Wang, Brough, P. King, Locke, Vekich, Allen, Leonard, Crane, Hine, Lux, D. Nelson, Jacobsen, Rust, Tanner, Ebersole, K. Wilson and Sayan

AN ACT Relating to public disclosure by large political campaign contributions; adding a new section to chapter 42.17 RCW; and creating a new section.

Referred to Committee on Constitution, Elections & Ethics.

HB 716 by Representatives Todd, Crane, Cole and Hastings

AN ACT Relating to excess levies for small school districts; and reenacting and amending RCW 84.52.0531.

Referred to Committee on Education.

HB 717 by Representatives Todd, Isaacson, D. Nelson, Schmidt, Unsoeld, Long, Van Luven, Cole, Crane, Brough, Allen, Thomas and Wineberry

AN ACT Relating to pricing of local telephone service; adding a new section to chapter 80.36 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Energy & Utilities.

HB 718 by Representatives Todd, Barnes, Crane, Allen, Vekich, Nutley and Winsley

AN ACT Relating to mobile homes; amending RCW 46.44.170, 46.44.175, 84.04.090, 84.36.383, 84.56.340, and 84.60.020; adding a new section to chapter 19.52 RCW; adding a new section to chapter 84.36 RCW; and adding a new section to chapter 84.40 RCW.

Referred to Committee on Ways & Means.

HB 719 by Representatives Todd, Crane, Belcher, O'Brien, Baugher, Walk, Peery, Cole, R. King and Brekke

AN ACT Relating to smoke detection devices; and adding a new section to chapter 70.54 RCW.

Referred to Committee on State Government.

HB 720 by Representatives Walk and Schmidt

AN ACT Relating to the highway construction stabilization account; adding new sections to chapter 46.68 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

HB 721 by Representatives West, Silver, Day, Dellwo, Barrett, Taylor and Bond

AN ACT Relating to the Maple Street toll bridge in Spokane; and creating a new section.

Referred to Committee on Transportation.

HB 722 by Representatives Crane and Armstrong

AN ACT Relating to compromise of misdemeanor; and amending RCW 10.22.010.

Referred to Committee on Judiciary.

HB 723 by Representatives Armstrong and D. Nelson

AN ACT Relating to radioactive waste; amending RCW 82.04.260; and providing an effective date.

Referred to Committee on Energy & Utilities.

HB 724 by Representative Armstrong

AN ACT Relating to deceptive sales practices; and adding a new section to chapter 19.86 RCW.

Referred to Committee on Judiciary.

HB 725 by Representative Dellwo

AN ACT Relating to homesteads; and amending RCW 6.12.105.

Referred to Committee on Judiciary.

HB 726 by Representative Armstrong

AN ACT Relating to property crimes; amending RCW 9A.48.080, 9A.56.050, 9A.56.060, and 9A.56.170; providing an effective date; and declaring an emergency.

Referred to Committee on Judiciary.

HB 727 by Representatives Barnes, Hine, Ebersole and Isaacson

AN ACT Relating to a salary survey; creating a new section; making an appropriation; and declaring an emergency.

Referred to Committee on Education.

HB 728 by Representatives Barnes, Hine and Ebersole

AN ACT Relating to the annual basic education allocation of funds; and amending RCW 28A.41.140.

Referred to Committee on Education.

HB 729 by Representative Barnes

AN ACT Relating to port districts; and adding a new section to chapter 53.04 RCW.

Referred to Committee on Local Government.

HB 730 by Representatives Barnes and Hine

AN ACT Relating to water districts; amending RCW 57.12.010 and 57.12.030; and adding a new section to chapter 57.12 RCW.

Referred to Committee on Local Government.

HB 731 by Representatives Madsen and R. King

AN ACT Relating to horse breeding and marketing; and amending RCW 15.64.010.

Referred to Committee on Agriculture.

HB 732 by Representatives Leonard, Appelwick, Allen, D. Nelson, Walker, Scott, Patrick, Basich, Jacobsen, Lux, Winsley, Wineberry and Holland; by Pharmacy Board request

AN ACT Relating to controlled substances; amending RCW 69.50.101, 69.50.201, 69.50.202, 69.50.302, 69.50.303, 69.50.304, 69.50.410, 69.50.413, 69.50.505, 69.51.080, and 18.108.170; and repealing RCW 69.50.204, 69.50.206, 69.50.208, 69.50.210, and 69.50.212.

Referred to Committee on Social & Health Services.

HB 733 by Representatives Barrett and Thomas

AN ACT Relating to domestic relations; and amending RCW 26.09.080.

Referred to Committee on Judiciary.

HB 734 by Representative Barrett

AN ACT Relating to sales and use tax exemptions for health food; and amending RCW 82.08.0293 and 82.12.0293.

Referred to Committee on Ways & Means.

HB 735 by Representatives Vekich, Allen, Lux and McMullen

AN ACT Relating to insurance frauds; and amending RCW 48.30.260.

Referred to Committee on Financial Institutions & Insurance.

HB 736 by Representatives Fisher, Miller, J. King and Barnes

AN ACT Relating to elections; amending RCW 29.36.010 and 29.36.139; and adding a new section to chapter 29.10 RCW.

Referred to Committee on Constitution, Elections & Ethics.

HB 737 by Representatives Silver, Dellwo, Day, Holland, Betrozoff and Taylor

AN ACT Relating to advertising for mail order sales; adding a new section to chapter 9.04 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

**HB 738** by Representatives Vekich, J. King, McMullen, Tanner, Ebersole and Sayan

AN ACT Relating to community economic development; adding a new chapter to Title 43 RCW; making an appropriation; and declaring an emergency.

Referred to Committee on Trade & Economic Development.

**HB 739** by Representatives Vekich, Sayan and P. King

AN ACT Relating to international trade and investment; adding new sections to chapter 43.31 RCW; making an appropriation; and declaring an emergency.

Referred to Committee on Trade & Economic Development.

**HB 740** by Representatives May, Hine, Schoon, Haugen, Doty, Zellinsky, Brough, Bristow, Isaacson, Wineberry, Grimm, Walker, Hastings, Nutley, Allen, Patrick, Braddock and Tilly

AN ACT Relating to property tax levies; and amending RCW 84.55.050.

Referred to Committee on Ways & Means.

**HB 741** by Representatives Hine, G. Nelson, Unsoeld, Haugen, S. Wilson, Ebersole, R. King, D. Nelson, Cole, K. Wilson, Barnes, P. King, Miller and Isaacson; by Office of the Governor request

AN ACT Relating to Puget Sound water quality; amending RCW 90.70.900; adding new sections to chapter 90.70 RCW; repealing RCW 90.70.010, 90.70.020, 90.70.030, 90.70.040, and 90.70.050; making an appropriation; and declaring an emergency.

Referred to Select Committee on the Clean-up and Management of Puget Sound.

**HB 742** by Representatives J. King, Appelwick, Niemi, Locke and Unsoeld

AN ACT Relating to employer-sponsored child care; creating new sections; and making an appropriation.

Referred to Committee on Trade & Economic Development.

**HB 743** by Representatives Patrick, Chandler, Ballard, Isaacson, G. Nelson, Walker, Prince, Dobbs, Sanders, Brooks, Hastings, Silver, Fuhrman, S. Wilson, van Dyke, Barrett, Nealey, J. Williams, Lewis, Barnes, Van Luven, Padden, Betrozoff and Bond

AN ACT Relating to labor dispute disqualifications for unemployment compensation; and amending RCW 50.20.090.

Referred to Committee on Commerce & Labor.

**HB 744** by Representatives Isaacson, D. Nelson, Todd, Barnes, Sutherland and Long

AN ACT Relating to an interstate compact on energy development and financing; and adding a new chapter to Title 43 RCW.

Referred to Committee on Energy & Utilities.

**HB 745** by Representatives Isaacson, Brekke, Lewis, Winsley, Hastings, Barnes, K. Wilson and L. Smith

AN ACT Relating to juvenile dependency and neglect cases; amending RCW 13.34-.120; and adding a new section to chapter 13.34 RCW.

Referred to Committee on Social & Health Services.

**HB 746** by Representatives Schmidt, Zellinsky, Crane, West, Scott and J. Williams

AN ACT Relating to child support; and amending RCW 26.09.105.

Referred to Committee on Judiciary.

HB 747 by Representatives Locke, Dellwo, Crane, Tilly, Padden, Scott, Sanders, Niemi, McMullen and Appelwick; by Attorney General request

AN ACT Relating to the attorney general; repealing section 5, chapter 335, Laws of 1981 (uncodified); providing an effective date; and declaring an emergency.

Referred to Committee on Judiciary.

HB 748 by Representatives Dellwo and Padden; by Attorney General request

AN ACT Relating to pornography and moral nuisances; amending RCW 7.48A.040, 7.48A.050, and 9.68.140; prescribing penalties; and declaring an emergency.

Referred to Committee on Judiciary.

HB 749 by Representatives Fisher, Niemi, Unsoeld, Rust and Armstrong

AN ACT Relating to public transportation funding; amending RCW 35.58.273; declaring an emergency; and providing an effective date.

Referred to Committee on Transportation.

HB 750 by Representative Sutherland

AN ACT Relating to the taxation of food fish and shellfish; amending RCW 82.27.030; and reenacting and amending RCW 82.27.010.

Referred to Committee on Ways & Means.

HB 751 by Representative Brekke

AN ACT Relating to public assistance; and amending RCW 74.04.005.

Referred to Committee on Social & Health Services.

HB 752 by Representative Brekke

AN ACT Relating to medical assistance; and amending RCW 74.09.520.

Referred to Committee on Social & Health Services.

HB 753 by Representatives Van Luven, Smitherman, Bristow, May, Ebersole, Isaacson, Sanders, Allen, Sutherland, Doty, Thomas, J. Williams, Bond and Long

AN ACT Relating to moneys paid to landlords as deposit or security for performance by tenants; and amending RCW 59.18.260.

Referred to Committee on Energy & Utilities.

HB 754 by Representatives Bristow, Zellinsky, Smitherman, Chandler, Kremen, Tilly, Day, Van Luven, Doty, Prince, Braddock, Betzoff and K. Wilson

AN ACT Relating to motor vehicles; amending RCW 46.70.005; adding a new section to chapter 46.70 RCW; and creating a new section.

Referred to Committee on Commerce & Labor.

HB 755 by Representatives Appelwick, Sommers and Addison

AN ACT Relating to distribution of superior court revenues; and amending RCW 10.82.070 and 36.18.025.

Referred to Committee on Judiciary.

HB 756 by Representatives R. King, Basich, Ebersole, Taylor, Smitherman, Allen, Leonard, Rayburn, Vekich, P. King, Tanner, Fisher, Van Luven, D. Nelson, Isaacson, Hankins, Addison, McMullen, Day, Dellwo, Barrett, O'Brien, Lux, Scott, Jacobsen, Sutherland, Walk, Peery, Appelwick, Grimm, Winsley, Todd, Miller and Fuhrman

AN ACT Relating to credit for military service under the teachers' retirement system; amending RCW 41.32.260; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 757 by Representatives K. Wilson, Jacobsen, Allen, Miller, Unsoeld, McMullen and Cole

AN ACT Relating to water resources; amending RCW 90.54.020 and 90.22.010; adding a new section to chapter 90.03 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Natural Resources.

HB 758 by Representatives Locke, Miller, Armstrong, Nealey, Jacobsen, Patrick, Gallagher, Barnes, Unsoeld, D. Nelson, Isaacson, Todd, Van Luven, Madsen, Addison and Wineberry

AN ACT Relating to public utilities; amending RCW 80.28.080; adding a new section to chapter 80.28 RCW; and prescribing penalties.

Referred to Committee on Energy & Utilities.

HB 759 by Representatives Ballard, Smitherman, Padden, Lewis, Taylor, B. Williams, Bond, Silver, Zellinsky, L. Smith, Sanders, Brooks, J. Williams, West and Thomas

AN ACT Relating to property tax limitations; adding a new section to chapter 84.55 RCW; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 760 by Representatives Sayan, McMullen, Tanner, Gallagher, Ebersole, Lux, B. Williams, Jacobsen, P. King, Wineberry and Unsoeld

AN ACT Relating to youth employment; adding new sections to chapter 50.65 RCW; making appropriations; and providing an expiration date.

Referred to Committee on Trade & Economic Development.

HB 761 by Representatives J. King, Winsley, Fisher and Appelwick

AN ACT Relating to community property; and adding a new section to chapter 26.16 RCW.

Referred to Committee on Judiciary.

HB 762 by Representatives Sayan, R. King, Lux, Vekich and Sutherland

AN ACT Relating to labor relations; and adding new sections to chapter 49.36 RCW.

Referred to Committee on Commerce & Labor.

HB 763 by Representatives Ebersole, Smitherman, Locke, Winsley, Thomas, Appelwick and Jacobsen

AN ACT Relating to education funding; amending RCW 28A.41.050; reenacting and amending RCW 84.52.0531; adding a new section to chapter 28A.46 RCW; creating a new section; and making an appropriation.

Referred to Committee on Education.

HB 764 by Representatives Belcher, Hankins, Walk and Taylor

AN ACT Relating to public records; and amending RCW 42.17.310.

Referred to Committee on State Government.

HB 765 by Representatives Braddock, Long, J. King, G. Nelson and Hine

AN ACT Relating to the public employees retirement system; and amending RCW 41.40.120.

Referred to Committee on Ways & Means.

HB 766 by Representatives Zellinsky, Allen, Haugen, Doty, Braddock, Scott and May

AN ACT Relating to civil service; and amending RCW 41.08.050 and 41.12.050.

Referred to Committee on Local Government.

HB 767 by Representatives P. King, Padden, Appelwick, Lewis, Dellwo, West, Schmidt, Crane, Wang, G. Nelson, Niemi and Day

AN ACT Relating to criminal profiteering; amending RCW 9A.82.010, 9A.82.020, 9A.82.030, 9A.82.040, 9A.82.050, 9A.82.060, 9A.82.080, 9A.82.090, 9A.82.100, 9A.82.110, 9A.82.170, and 9A.04.080; adding new sections to chapter 9A.82 RCW; repealing RCW



9A.82.120, 9A.82.130, 9A.82.140, 9A.82.150, 9A.82.160, 9A.82.010, 9A.82.020, 9A.82.030, 9A.82.040, 9A.82.\_\_\_\_, 9A.82.050, 9A.82.060, 9A.82.070, 9A.82.080, 9A.82.\_\_\_\_, 9A.82.090, 9A.82.100, 9A.82.110, 9A.82.170, 9A.82.900, and 9A.82.901; repealing section 18, chapter 270, Laws of 1984, section 14 of this 1985 act; prescribing penalties; declaring an emergency; and providing an effective date.

Referred to Committee on Judiciary.

HB 768 by Representatives Rust, Cole and Appelwick

AN ACT Relating to the conveyance of land to King county for public recreation purposes; and creating a new section.

Referred to Committee on Natural Resources.

HB 769 by Representatives Valle, Hankins, K. Wilson, Day and Scott

AN ACT Relating to fingerprinting children; and adding new sections to chapter 74.15 RCW.

Referred to Committee on Social & Health Services.

HB 770 by Representatives Valle, Hankins, K. Wilson and Lux

AN ACT Relating to dangerous waste exchange; creating a new section; and making an appropriation.

Referred to Committee on Environmental Affairs.

HB 771 by Representatives Valle, Patrick, Rust, Hankins, Unsoeld, Haugen, K. Wilson, Fisch and Jacobsen

AN ACT Relating to bicycle safety programs; adding new sections to chapter 43.59 RCW; and making an appropriation.

Referred to Committee on Transportation.

HB 772 by Representatives O'Brien, Betrozoff, Sommers, Grimm, Ballard, Barrett and Addison

AN ACT Relating to the state convention and trade center; amending RCW 67.40.030, 43.84.080, and 43.84.090; adding a new section to chapter 43.03 RCW; adding new sections to chapter 67.40 RCW; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 773 by Representative Valle

AN ACT Relating to common schools; and amending RCW 28A.58.758.

Referred to Committee on Education.

HB 774 by Representatives Lux, G. Nelson, Zellinsky, Allen, Jacobsen, Basich, D. Nelson, Leonard, Cole and Appelwick

AN ACT Relating to insurance agents; and adding new sections to chapter 48.17 RCW.

Referred to Committee on Financial Institutions & Insurance.

HB 775 by Representatives R. King, Haugen, S. Wilson, K. Wilson, G. Nelson, Scott, Allen, P. King, Long and Isaacson

AN ACT Relating to public utility districts; and amending RCW 54.04.120.

Referred to Committee on Energy & Utilities.

HB 776 by Representatives Niemi, Taylor, Appelwick and Holland

AN ACT Relating to public humanities programs; making an appropriation; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 777 by Representatives Unsoeld and Grimm

AN ACT Relating to retirement from public service; amending RCW 2.12.030, 41.32-.499, 41.40.195, 41.32.500, 41.40.150, and 41.26.510; adding a new section to chapter 2.12 RCW; adding a new section to chapter 41.32 RCW; adding a new section to chapter 41.40

RCW; adding a new section to chapter 43.43 RCW; making an appropriation; and providing an effective date.

Referred to Committee on Ways & Means.

**HB 778** by Representatives Belcher, Sayan, Walk, Unsoeld, Vander Stoep, Allen, Scott and Van Luven

AN ACT Relating to state government; adding a new chapter to Title 41 RCW; repealing RCW 43.03.110; and declaring an emergency.

Referred to Committee on State Government.

**HB 779** by Representatives Dellwo, Patrick, Lux, Lewis, Appelwick and Wineberry

AN ACT Relating to developmental disabilities; and amending RCW 71.30.030.

Referred to Committee on Social & Health Services.

**HB 780** by Representatives Jacobsen, Appelwick, Niemi and J. Williams

AN ACT Relating to reporting dates for local government excise taxes and licenses; and adding a new section to chapter 35.21 RCW.

Referred to Committee on Local Government.

**HB 781** by Representatives Jacobsen, Prince, Niemi, Allen, D. Nelson, Appelwick, J. Williams, Sommers, Tanner, P. King and Wineberry

AN ACT Relating to higher education; adding new sections to chapter 28B.10 RCW; and making an appropriation.

Referred to Committee on Higher Education.

**HB 782** by Representatives B. Williams, Tilly, Silver and Schoon

AN ACT Relating to the state insurance board; amending RCW 41.05.010, 41.05.025, 41.05.030, 41.05.040, 41.05.050, 41.05.070, 28A.58.420, 41.04.205, 41.04.230, 41.40.380, 47.64.270, and 48.24.010; and adding new sections to chapter 41.05 RCW.

Referred to Committee on State Government.

**HB 783** by Representatives P. King, Winsley, Day, Scott and Isaacson

AN ACT Relating to missing children; and adding a new section to chapter 43.43 RCW.

Referred to Committee on Social & Health Services.

**HB 784** by Representatives Fisch and Jacobsen

AN ACT Relating to the county treasurer; and amending RCW 36.29.180.

Referred to Committee on Local Government.

**HB 785** by Representatives B. Williams, Schoon and Barnes

AN ACT Relating to legislative reorganization; amending RCW 44.28.085, 44.28.086, 44.28.087, 44.28.110, 44.28.120, 44.28.130, 2.56.120, 7.68.160, 18.11.910, 19.91.911, 28A.61.030, 28A.61.070, 28A.97.100, 28B.15.766, 28B.16.112, 39.19.900, 39.29.010, 40.07.050, 41.06.070, 41.06.163, 41.06.167, 41.06.440, 41.60.130, 43.03.260, 43.09.310, 43.10.067, 43.19.19052, 43.19.200, 43.19.532, 43.19.650, 43.19.660, 43.52.378, 43.52.510, 43.52.618, 43.79.270, 43.79.280, 43.88.020, 43.88.030, 43.88.090, 43.88.111, 43.88.160, 43.88.205, 43.88.230, 43.88.310, 43.88.510, 43.88A.030, 43.105.016, 43.131.050, 43.131.060, 43.131.070, 43.131.080, 43.131.110, 43.132.040, 43.132.050, 43.136.030, 43.136.040, 43.136.050, 43.150.080, 44.40.025, 46.08.066, 67.08.910, 67.70.050, 67.70.310, 67.70.900, 72.09.180, 74.04.630, 82.01.125, and 82.01.135; adding new sections to chapter 44.28 RCW; creating new sections; and repealing RCW 44.28.010, 44.28.020, 44.28.030, 44.28.040, 44.28.050, 44.28.060, 44.28.080, 44.28.100, 44.28.140, 44.28.150, 44.28.900, 44.48.010, 44.48.020, 44.48.030, 44.48.040, 44.48.050, 44.48.060, 44.48.070, 44.48.080, 44.48.090, 44.48.100, 44.48.110, 44.48.120, 44.48.130, 44.48.140, and 44.48.900.

Referred to Committee on State Government.

**HB 786** by Representatives B. Williams, Schoon and Thomas

AN ACT Relating to legislative reorganization; amending RCW 44.28.050, 44.28.080, 44.28.085, 44.28.140, 44.40.020, 44.40.040, 44.44.010, 44.44.030, 44.48.050, 44.48.070, 44.48.090, 44.48.120, 28A.61.030, 28B.16.112, 39.29.010, 41.06.070, 41.06.163, 41.06.167, 43.09.310, 43.10.067, 43.79.270, 43.79.280, 43.88.020, 43.88.230, 43.88.310, 43.88A.030, 43.132.040, 43.132.050,

44.40.025, 74.04.630, 82.01.135, 1.08.007, 1.08.013, 1.08.025, 1.08.027, 1.08.028, 1.08.0392, and 1.08.100; amending section 34, chapter 143, Laws of 1981 (uncodified); creating a new chapter in Title 44 RCW; creating new sections; repealing RCW 1.08.011; making an appropriation; declaring an emergency; and providing effective dates.

Referred to Committee on State Government.

HB 787 by Representatives Tilly, Wang, Betrozoff, Crane, J. Williams and Bond  
AN ACT Relating to explosives; and amending RCW 70.74.191.

Referred to Committee on Commerce & Labor.

HB 788 by Representatives Tilly, Locke and Miller  
AN ACT Relating to nonpartisan primaries and elections; and amending RCW 29.21-.150 and 29.21.180.

Referred to Committee on Constitution, Elections & Ethics.

HB 789 by Representatives Holland, B. Williams, Tilly, Schoon, Thomas, S. Wilson, Hastings, G. Nelson, van Dyke, Fuhrman and May  
AN ACT Relating to state budget planning; and adding new sections to chapter 43.88 RCW.

Referred to Committee on Ways & Means.

HB 790 by Representatives Holland, B. Williams, Tilly, Long, Schoon, Thomas, S. Wilson, Hastings, G. Nelson, van Dyke and May  
AN ACT Relating to capital expenditure planning; and adding a new section to chapter 43.88 RCW.

Referred to Committee on Ways & Means.

HB 791 by Representatives Holland, Patrick, Betrozoff, J. Williams, Long and Van Luven  
AN ACT Relating to railroad rights of way; and amending RCW 64.04.190.

Referred to Committee on Transportation.

HB 792 by Representatives McMullen, Lundquist, B. Williams, L. Smith, Braddock, Sutherland, Hargrove, Sayan, Kremen, Haugen, Tanner, J. Williams, R. King and P. King  
AN ACT Relating to the creation of a forest products market development task force; creating new sections; making an appropriation; and declaring an emergency.

Referred to Committee on Trade & Economic Development.

HB 793 by Representatives Prince, Sanders, Jacobsen, Lundquist, Sutherland, Hankins, Schmidt, Betrozoff, Thomas, C. Smith, Taylor, Day, Ebersole, J. Williams, Bond, Ballard, Van Luven and May  
AN ACT Relating to drivers' records; and amending RCW 46.20.171.

Referred to Committee on Transportation.

HB 794 by Representatives Jacobsen, Prince, Ballard and Lux  
AN ACT Relating to an agricultural cooperative commission; adding a new chapter to Title 15 RCW; and prescribing penalties.

Referred to Committee on Agriculture.

HB 795 by Representatives Armstrong, Day, Dellwo and Barnes  
AN ACT Relating to independent dentistry; amending RCW 18.32.030; adding a new chapter to Title 18 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Social & Health Services.

HB 796 by Representatives Valle, Hine, G. Nelson, P. King and Unsoeld  
AN ACT Relating to water pollution control; and creating a new section.

Referred to Select Committee on the Clean-up and Management of Puget Sound.

**HB 797** by Representatives Hargrove, Tilly, Patrick, Baugher, Armstrong and L. Smith

AN ACT Relating to crimes; amending RCW 9A.08.010; adding a new section to chapter 9A.16 RCW; adding a new section to chapter 9A.36 RCW; and declaring an emergency.

Referred to Committee on Judiciary.

**HB 798** by Representatives Nutley, O'Brien, Hine, Locke, Appelwick, Brough, Smitherman, Allen, McMullen, Dellwo, Haugen, Scott and Wineberry

AN ACT Relating to housing authorities; and amending RCW 35.82.010, 35.82.020, 35.82.030, 35.82.070, 35.82.080, 35.82.090, and 35.82.140.

Referred to Committee on Local Government.

**HB 799** by Representatives Scott, Ballard, K. Wilson, Cole, P. King, Ebersole, Long, Haugen, R. King, Todd and Isaacson

AN ACT Relating to school districts' community education programs; amending RCW 28A.58.246 and 28A.58.247; and repealing RCW 28A.58.248.

Referred to Committee on Education.

**HB 800** by Representatives Scott, Fisher, Barrett and K. Wilson

AN ACT Relating to elections; and adding new sections to chapter 42.17 RCW.

Referred to Committee on Constitution, Elections & Ethics.

**HB 801** by Representatives Niemi, Lewis, J. King, Holland, Tilly, Braddock, Grimm, B. Williams, Kremen, J. Williams and May

AN ACT Relating to health care; amending RCW 41.05.025, 48.46.180, 51.44.020, and 74.09.510; adding a new section to chapter 41.05 RCW; adding a new chapter to Title 43 RCW; adding new sections to chapter 43.131 RCW; adding a new section to chapter 48.62 RCW; adding a new section to chapter 51.44 RCW; adding a new section to chapter 74.09 RCW; making an appropriation; providing an expiration date; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

**HB 802** by Representatives Scott, Silver, McMullen, Lundquist, Appelwick, Schmidt, Wineberry and May

AN ACT Relating to economic development; adding a new section to chapter 35.21 RCW; and adding a new section to chapter 36.01 RCW.

Referred to Committee on Trade & Economic Development.

**HB 803** by Representatives Scott, Silver, Armstrong, Schmidt, Locke, Tilly and J. Williams

AN ACT Relating to criminal mistreatment; adding new sections to chapter 9A.64 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

**HB 804** by Representatives Scott, Allen, Rust, S. Wilson, Lux, Unsoeld and Haugen

AN ACT Relating to public health and safety; adding a new chapter to Title 70 RCW; and prescribing penalties.

Referred to Committee on Environmental Affairs.

**HB 805** by Representatives Scott, K. Wilson, Cole, P. King, Ebersole, Long, Haugen, Winsley, Tanner, G. Nelson and Todd

AN ACT Relating to teacher education; adding a new section to chapter 28A.04 RCW; adding a new section to chapter 28A.71 RCW; and providing an effective date.

Referred to Committee on Education.

**HB 806** by Representatives Barrett, Appelwick, Patrick, Vekich, Basich and Ballard

AN ACT Relating to cigarette sales; and amending RCW 19.91.010 and 19.91.911.

Referred to Committee on Commerce & Labor.

HB 807 by Representatives Appelwick, Rust, Sommers and Jacobsen

AN ACT Relating to watercraft registration and watercraft excise tax; and amending RCW 88.02.030 and 88.02.050.

Referred to Committee on Ways & Means.

HB 808 by Representatives Appelwick, Rust and Sommers

AN ACT Relating to property taxation; amending RCW 36.21.080; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 809 by Representatives Appelwick, Niemi, Rust and Sommers

AN ACT Relating to the termination of tax exemptions; amending RCW 82.04.4281; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 810 by Representatives Appelwick, Niemi, Rust and Sommers

AN ACT Relating to the termination of tax exemptions; and repealing RCW 82.04.4292.

Referred to Committee on Ways & Means.

HB 811 by Representatives Unsoeld, Miller, Vekich and Nutley

AN ACT Relating to water protection; and adding new sections to chapter 43.21A RCW.

Referred to Committee on Environmental Affairs.

HB 812 by Representatives Unsoeld, Rust, Miller and Jacobsen

AN ACT Relating to port districts; and adding a new section to chapter 53.36 RCW.

Referred to Committee on Environmental Affairs.

HB 813 by Representatives Unsoeld, Fisher, Lux and Jacobsen

AN ACT Relating to disclosure of public records; and adding a new section to chapter 42.17 RCW.

Referred to Committee on Constitution, Elections & Ethics.

HB 814 by Representatives Unsoeld, Rust, Miller, Jacobsen, Holland, G. Nelson and Barnes

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

Referred to Select Committee on the Clean-up and Management of Puget Sound.

HB 815 by Representatives Unsoeld, Jacobsen and G. Nelson

AN ACT Relating to water quality; and adding a new section to chapter 90.48 RCW.

Referred to Committee on Environmental Affairs.

HB 816 by Representatives Unsoeld, Jacobsen and Vekich

AN ACT Relating to water quality; adding a new section to chapter 35.91 RCW; and adding a new section to 36.94 RCW.

Referred to Committee on Environmental Affairs.

HB 817 by Representative Smitherman

AN ACT Relating to hydraulic projects; and amending RCW 90.58.180 and 75.20.100.

Referred to Committee on Environmental Affairs.

HB 818 by Representatives Unsoeld, Rust, Vekich, Jacobsen, G. Nelson and Fisher

AN ACT Relating to Puget Sound water quality; and adding a new chapter to Title 90 RCW.

Referred to Select Committee on the Clean-up and Management of Puget Sound.

HB 819 by Representatives Smitherman and Unsoeld

AN ACT Relating to shoreline management; and amending RCW 90.58.180.

Referred to Committee on Environmental Affairs.

HB 820 by Representatives Wineberry, Patrick, Lux, Lewis, Appelwick, Dellwo, Jacobsen, Day, Sayan and Unsoeld

AN ACT Relating to developmental disabilities; and adding a new chapter to Title 71 RCW.

Referred to Committee on Social & Health Services.

HB 821 by Representatives Holland, Chandler, Walker, Betzoff, Baugher, Long, Ballard, Brooks, Bond, Winsley, L. Smith, van Dyke, Nealey, Tilly, B. Williams, Thomas, Dobbs, Silver, Schmidt, Hastings, Hankins, Isaacson, Fuhrman, Brough, Addison, Barrett, S. Wilson, Doty, May, J. Williams, Patrick, Schoon, Allen, Van Luven, Lundquist, Vander Stoep, Prince, Miller, C. Smith, West, Lewis, Padden, Sanders, G. Nelson, Barnes, Zellinsky and Taylor

AN ACT Relating to excise taxation of new buildings; amending RCW 82.04.050; and providing an effective date.

Referred to Committee on Ways & Means.

HB 822 by Representatives P. King, Todd, Tanner, Scott and Wineberry

AN ACT Relating to child abuse; and adding a new section to chapter 26.44 RCW.

Referred to Committee on Judiciary.

HB 823 by Representatives Vekich, P. King, Bristow, Fuhrman, Hargrove, Baugher, van Dyke, Ebersole, Tanner, Fisch, Sanders, Gallagher, Thomas, McMullen, Lewis, Zellinsky, Chandler, Day, Miller, Dellwo, Barnes, Smitherman, Isaacson, Sutherland, Patrick, Holland, Bond, Ballard, May and Van Luven

AN ACT Relating to state preemption of firearm regulation; and amending RCW 9.41.290.

Referred to Committee on Judiciary.

HB 824 by Representatives Hargrove, Day, Smitherman, Bristow, Gallagher, Sutherland, Sayan, Basich, Haugen, L. Smith, Dobbs, Padden, Fuhrman, Chandler, van Dyke, Hastings, Patrick, Barrett, B. Williams, Isaacson, Tilly, Crane, J. Williams, Bond, Walker and Van Luven

AN ACT Relating to abortion; and adding a new section to chapter 9.02 RCW.

Referred to Committee on Social & Health Services.

HB 825 by Representatives Lux, Patrick, Lewis, Appelwick, Wineberry, Dellwo, Jacobsen and Scott

AN ACT Relating to developmental disabilities; and amending RCW 71.20.016.

Referred to Committee on Social & Health Services.

HB 826 by Representatives Todd, Patrick, Crane, Brough and Lux

AN ACT Relating to county roads; and adding new sections to chapter 47.26 RCW.

Referred to Committee on Transportation.

HB 827 by Representative Sayan

AN ACT Relating to apprentices; and adding a new section to chapter 28B.16 RCW.

Referred to Committee on Commerce & Labor.

HB 828 by Representatives Locke, Tilly and Belcher

AN ACT Relating to liability for the sale of liquor; amending RCW 66.24.010; adding a new section to chapter 4.24 RCW; and creating a new chapter in Title 7 RCW.

Referred to Committee on Judiciary.

HB 829 by Representatives Haugen, Bristow, Barnes, Bond, K. Wilson, Patrick, Day, Lewis, van Dyke, Tilly, J. Williams and Isaacson

AN ACT Relating to alcoholic beverage control; amending RCW 66.08.180, 66.08.190, 66.08.200, 66.08.210, 66.16.010, 66.16.040, 66.20.160, 66.20.170, 66.20.180, 66.20.200, and 66.20.210; adding a new section to chapter 43.09 RCW; adding a new section to chapter 66.08 RCW; adding new sections to chapter 66.28 RCW; creating a new section; and providing an effective date.

Referred to Committee on Social & Health Services.

HB 830 by Representatives Kremen, Braddock, McMullen, Haugen, Tanner, Day and Sayan

AN ACT Relating to business siting; adding a new section to chapter 43.63A RCW; and declaring an emergency.

Referred to Committee on Trade & Economic Development.

HB 831 by Representatives Kremen, Isaacson, Smitherman, Crane, McMullen, Brekke, Allen, Lux, Wineberry and Ebersole

AN ACT Relating to indebtedness; adding new sections to chapter 39.44 RCW; and adding a new section to chapter 43.63A RCW.

Referred to Committee on Local Government.

HB 832 by Representatives Kremen, Smitherman, Tilly, Barrett, McMullen and Zellinsky

AN ACT Relating to the world fair commission; and adding a new section to chapter 43.96D RCW.

Referred to Committee on Trade & Economic Development.

HB 833 by Representatives Valle, Barrett, Dellwo, Winsley, Addison, West, Holland, Day and Wang

AN ACT Relating to employee health care assistance plans; and adding a new chapter to Title 48 RCW.

Referred to Committee on Social & Health Services.

HB 834 by Representatives Valle, Hankins, Niemi, Leonard, Dellwo, Miller and Isaacson

AN ACT Relating to professional licensing; amending RCW 18.32.035, 18.32.040, 18.29.060, 18.32.120, 18.29.020, 18.32.210, and 18.32.030; adding a new section to chapter 18.29 RCW; adding a new section to chapter 18.32 RCW; and repealing RCW 18.29.031.

Referred to Committee on Social & Health Services.

HB 835 by Representatives Lux, Barrett, Winsley, Addison and West

AN ACT Relating to a survey of reimbursement standards for commercial insurers and health care contractors; and creating new sections.

Referred to Committee on Financial Institutions & Insurance.

HB 836 by Representatives Zellinsky, Smitherman, Barrett, West, R. King, Bond, Jacobsen, Miller and Hankins

AN ACT Relating to payment of health care providers by health care service contractors as directed by subscribers; amending RCW 48.44.026; and creating a new section.

Referred to Committee on Social & Health Services.

HB 837 by Representatives Hargrove, Dobbs, Fisch, Lundquist, Haugen, L. Smith, Tanner, Appelwick, Bristow, Niemi, Fuhrman, Braddock, Schoon, S. Wilson, Basich, P. King, Ballard, Isaacson and May

AN ACT Relating to international trade; establishing a center for international trade in forest products at the University of Washington; and adding a new chapter to Title 76 RCW.

Referred to Committee on Trade & Economic Development.

HB 838 by Representatives Appelwick, Allen and P. King

AN ACT Relating to the support of the common schools; reenacting and amending RCW 84.52.0531; adding a new section to chapter 84.52 RCW; making an appropriation; and declaring an emergency.

Referred to Committee on Education.

HB 839 by Representatives Cole, G. Nelson, Rust and Wang

AN ACT Relating to land use; and amending RCW 35.63.090 and 36.70.330.

Referred to Select Committee on the Clean-up and Management of Puget Sound.

HB 840 by Representatives Haugen and Jacobsen

AN ACT Relating to natural areas; amending RCW 79.70.060; adding a new section to chapter 79.70 RCW; and making an appropriation.

Referred to Committee on Environmental Affairs.

HB 841 by Representatives K. Wilson and Sutherland

AN ACT Relating to game fish; and amending RCW 77.12.010.

Referred to Committee on Natural Resources.

HB 842 by Representatives Bristow, Smitherman, Day, Tanner, Ebersole, Zellinsky, Scott, Hargrove and Wineberry

AN ACT Relating to motor vehicle excise tax exemptions for low-income persons; adding a new section to chapter 82.44 RCW; and providing an effective date.

Referred to Committee on Transportation.

HB 843 by Representatives Bristow, Nealey, Fuhrman and Bond

AN ACT Relating to livestock; amending RCW 16.36.030, 16.36.060, 16.36.090, 16.36.095, 16.36.096, 16.49.440, 16.49.510, 16.49.610, 16.57.240, 16.65.080, and 16.65.320; adding new sections to chapter 16.49 RCW; repealing RCW 16.49A.490, 16.49A.500, and 16.49A.510; and prescribing penalties.

Referred to Committee on Agriculture.

HB 844 by Representative Sanders

AN ACT Relating to prenatal care; and amending RCW 26.20.035 and 26.20.080.

Referred to Committee on Judiciary.

HB 845 by Representatives Ebersole, Grimm, Wang and Smitherman

AN ACT Relating to schools; amending RCW 28A.58.040 and 28A.58.045; and adding a new section to chapter 28A.58 RCW.

Referred to Committee on Education.

HB 846 by Representatives D. Nelson, Van Luven, Todd, Miller, Braddock, Long, Appelwick, J. Williams, Sanders and Isaacson

AN ACT Relating to the water systems of municipalities; and adding a new chapter to Title 35 RCW.

Referred to Committee on Energy & Utilities.

HB 847 by Representatives Leonard, Nutley, May, Lux and Wang

AN ACT Relating to pawnbrokers and second-hand dealers; and amending RCW 19.60.010.

Referred to Committee on Commerce & Labor.

HB 848 by Representatives K. Wilson, Armstrong, Scott, P. King, Lewis, Allen, Leonard, S. Wilson, Tanner, Ebersole, J. Williams and Long



AN ACT Relating to crimes and punishments; amending RCW 9.94A.030 and 43.43-.745; and adding new sections to chapter 9.94A RCW.

Referred to Committee on Judiciary.

**HB 849** by Representatives Wang, Schoon, Appelwick, Todd, Ebersole, Valle, Haugen, Peery, Rayburn, Long, Tanner, Zellinsky, Brough and Walker

AN ACT Relating to teacher evaluation; amending RCW 28A.67.065; adding new sections to chapter 28A.67 RCW; creating new sections; and making an appropriation.

Referred to Committee on Education.

**HB 850** by Representatives Cole, Appelwick, G. Nelson, Wang, Tilly, Ebersole, O'Brien, Taylor, Betrozoff, D. Nelson and Jacobsen

AN ACT Relating to landscape architects; amending RCW 18.96.040, 18.96.110, and 18.96.130; repealing RCW 43.131.265 and 43.131.266; and providing penalties.

Referred to Committee on Commerce & Labor.

**HB 851** by Representative Sommers

AN ACT Relating to higher education; amending RCW 43.131.260; creating new sections; adding a new chapter to Title 28B RCW; repealing RCW 28B.40.240, 28B.40.244, 28B.80.280, and 28B.80.290; and providing an effective date.

Referred to Committee on Higher Education.

**HB 852** by Representatives Wang, Winsley, Tanner, K. Wilson and Brough

AN ACT Relating to sexual offenses; amending RCW 9A.44.120; and adding new sections to chapter 9A.44 RCW.

Referred to Committee on Judiciary.

**HB 853** by Representatives Appelwick, Crane and Jacobsen

AN ACT Relating to the issuance of title certificates of ownership and the perfection of security interests in vessels and watercraft; amending RCW 62A.9-302 and 88.02.070; adding new sections to chapter 88.02 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

**HB 854** by Representatives Grimm, Holland and Braddock

AN ACT Relating to the economic and revenue forecast council; amending RCW 82.01.120, 82.01.130, 41.06.087, and 43.88.020; adding a new chapter to Title 82 RCW; recodifying RCW 82.01.120, 82.01.125, 82.01.130, and 82.01.135; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

**HB 855** by Representatives Wineberry, McMullen, Niemi, L. Smith, J. King, May, Lux, Schmidt, Smitherman, Dobbs, Vekich, Lundquist, Tanner, Rayburn, Kremen, Day, S. Wilson, Sayan and Wang

AN ACT Relating to economic development; and adding a new chapter to Title 43 RCW.

Referred to Committee on Trade & Economic Development.

**HB 856** by Representatives B. Williams, Schoon and Bond

AN ACT Relating to the termination and repeal of agencies and programs; amending RCW 43.131.249, 43.131.250, 43.131.301, 43.131.302, 43.131.303, 43.131.304, 43.131.319, 43.131.320, 43.131.321, 43.131.322, and 46.10.220; and repealing RCW 18.39.910, 28A.61.900, 43.21F.900, 43.131.187, 43.131.188, 43.131.189, 43.131.190, 43.131.211, 43.131.212, 43.131.215, 43.131.216, 43.131.221, 43.131.222, 43.131.269, 43.131.270, 43.131.277, 43.131.278, 43.131.281, 43.131.282, 43.131.283, 43.131.284, 43.131.285, 43.131.286, 43.131.307, 43.131.308, 43.131.313, 43.131.314, 67.08.910, and 74.18.900.

Referred to Committee on State Government.

**HB 857** by Representatives P. King and Appelwick

AN ACT Relating to health care providers; and amending RCW 4.24.250.

Referred to Committee on Judiciary.

HB 858 by Representatives Armstrong and Appelwick

AN ACT Relating to recreational immunity; and amending RCW 4.24.210.

Referred to Committee on Judiciary.

HB 859 by Representatives Appelwick, Tilly, Smitherman, Barrett, G. Nelson, Vander Stoep, Lewis, Ballard, Day, Dellwo, Locke, Holland, S. Wilson, Tanner, Brough, Doty and May

AN ACT Relating to sheltered workshops; and adding new sections to chapter 82.04 RCW.

Referred to Committee on Ways & Means.

HB 860 by Representatives Appelwick, Lewis, Smitherman, Barrett, Locke, Vander Stoep, Dellwo, Day, Holland, Tanner, Doty and May

AN ACT Relating to the business and occupation taxation of persons contracting with sheltered workshops; and adding a new section to chapter 82.04 RCW.

Referred to Committee on Ways & Means.

HB 861 by Representatives Appelwick, Patrick, Ebersole, Sanders and Jacobsen

AN ACT Relating to business and occupation tax credits for employment of the severely handicapped; and adding a new section to chapter 82.04 RCW.

Referred to Committee on Ways & Means.

HB 862 by Representatives Haugen and McMullen

AN ACT Relating to counties; and amending RCW 36.32.110.

Referred to Committee on Local Government

HB 863 by Representatives Kremen, Walk, Thomas, Schmidt, Tanner and May

AN ACT Relating to transportation improvements necessitated by planned economic development; amending RCW 43.160.030 and 43.160.030; adding new sections to chapter 47.10 RCW; adding a new section to chapter 43.160 RCW; repealing section 1 of this act; declaring an emergency; and providing effective dates.

Referred to Committee on Transportation.

HB 864 by Representatives Walk, Schmidt, Gallagher, Hankins and J. Williams

AN ACT Relating to motor vehicle excise taxes; reenacting and amending RCW 82.44.150; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

HB 865 by Representatives Valle, Rust, Isaacson, Jacobsen, Allen and Lux

AN ACT Relating to toxic substance information; adding new sections to chapter 70.105 RCW; and making an appropriation.

Referred to Committee on Environmental Affairs.

HB 866 by Representatives Grimm, Scott and Cole

AN ACT Relating to motor vehicle safety equipment; and adding a new section to chapter 46.37 RCW.

Referred to Committee on Transportation.

HB 867 by Representatives Zellinsky, Schmidt and Haugen

AN ACT Relating to contract interests; and amending RCW 42.23.030.

Referred to Committee on Education.

HB 868 by Representatives Zellinsky, Smitherman, J. Williams and Hargrove

AN ACT Relating to appropriations; adding new sections to chapter 43.88 RCW; and creating a new section.

Referred to Committee on Ways & Means.

HB 869 by Representatives Zellinsky, Smitherman and Haugen

AN ACT Relating to public water supply systems; adding new sections to chapter 43.20A RCW; and prescribing penalties.

Referred to Committee on Social & Health Services.

HB 870 by Representatives Zellinsky, Smitherman, Schmidt, Vekich and B. Williams

AN ACT Relating to street rods; amending RCW 77.12.170; adding a new section to chapter 46.16 RCW; adding a new section to chapter 46.37 RCW; and prescribing penalties.

Referred to Committee on Transportation.

HB 871 by Representatives Zellinsky, Vekich and Kremen

AN ACT Relating to state government; amending RCW 43.22.010; adding a new section to chapter 43.22 RCW; creating new sections; and repealing RCW 50.08.010 and 50.08.020.

Referred to Committee on Commerce & Labor.

HB 872 by Representatives Zellinsky, Schmidt, J. Williams, Barrett, Bristow and Thomas

AN ACT Relating to state supervisory employees; and adding a new section to chapter 41.06 RCW.

Referred to Committee on State Government.

HB 873 by Representatives Vekich, Zellinsky and Kremen

AN ACT Relating to state government; amending RCW 66.04.010, 67.70.010, and 67.70.050; adding a new section to chapter 9.46 RCW; creating new sections; and repealing RCW 66.08.012, 66.08.014, 67.70.020, 67.70.030, and 67.70.270.

Referred to Committee on Commerce & Labor.

HB 874 by Representatives Walk, Schmidt, Gallagher and Betzoff

AN ACT Relating to department of transportation participation in storm water management; amending RCW 35.67.025, 35.92.021, 36.89.085, 36.94.145, 56.08.012, 86.15.160, 86.15.176, and 90.03.500; and adding new sections to chapter 47.28 RCW.

Referred to Committee on Transportation.

HB 875 by Representative McMullen

AN ACT Relating to the department of community development; and amending RCW 43.63A.078.

Referred to Committee on Trade & Economic Development.

HB 876 by Representative McMullen

AN ACT Relating to the business license center; amending RCW 19.02.035; and creating a new section.

Referred to Committee on Trade & Economic Development.

HB 877 by Representative Dellwo

AN ACT Relating to adoption; and amending RCW 26.33.090, 26.33.100, and 26.33.160.

Referred to Committee on Judiciary.

HB 878 by Representative Armstrong

AN ACT Relating to criminal profiteering; amending RCW 9A.82.010, 9A.82.020, 9A.82.030, 9A.82.060, 9A.82.080, 9A.82.090, 9A.82.100, 9A.82.110, 9A.82.120, 9A.82.170, 9A.04.080, and 9A.82.901; adding new sections to chapter 9A.82 RCW; repealing RCW 9A.82.010, 9A.82.020, 9A.82.030, 9A.82.040, 9A.82.\_\_\_\_, 9A.82.050, 9A.82.060, 9A.82.070, 9A.82.080, 9A.82.\_\_\_\_, 9A.82.090, 9A.82.100, 9A.82.110, 9A.82.120, 9A.82.130, 9A.82.140, 9A.82.150, 9A.82.160, 9A.82.170, 9A.82.900, and 9A.82.901; repealing section 18, chapter

270, Laws of 1984, section 13 of this 1985 act; prescribing penalties; declaring an emergency; and providing effective dates.

Referred to Committee on Judiciary.

HB 879 by Representatives Armstrong, Dellwo, Patrick and P. King

AN ACT Relating to driving while intoxicated; amending RCW 10.05.020, 10.05.030, 46.12.020, 46.20.342, 46.12.240, and 46.61.515; adding new sections to chapter 46.16 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

HB 880 by Representative Patrick

AN ACT Relating to state fiscal matters; and adding a new section to chapter 43.88 RCW.

Referred to Committee on Ways & Means.

HB 881 by Representative Patrick

AN ACT Relating to appropriations and expenditures by the state and placing limitations thereon; adding a new chapter to Title 43 RCW; and providing an effective date.

Referred to Committee on Ways & Means.

HB 882 by Representatives Wang, Wineberry, Lux, Fisher and Brough

AN ACT Relating to gender-based discrimination; amending RCW 48.30.300, 48.18-.480, 48.20.050, 48.23.180, 48.23.360, 48.24.150, 48.36.040, 48.36.050, 48.36.120, 48.36.230, 48.36.300, 48.36.310, 48.44.220, 48.46.370, 48.66.041, 48.74.030, 48.76.050, 49.60.030, and 49.60.178; adding a new section to chapter 48.76 RCW; creating a new section; making an appropriation; providing effective dates; and declaring an emergency.

Referred to Committee on Financial Institutions & Insurance.

HB 883 by Representative McMullen

AN ACT Relating to international capital projects; creating new sections; making an appropriation; and providing an expiration date.

Referred to Committee on Trade & Economic Development.

HB 884 by Representatives Ebersole, Betrozoff and Walker

AN ACT Relating to education; amending RCW 28A.67.065; adding a new section to chapter 28A.04 RCW; adding new sections to chapter 28A.67 RCW; adding a new section to chapter 28A.70 RCW; creating new sections; making appropriations; and providing an expiration date.

Referred to Committee on Education.

HB 885 by Representatives Ebersole, Betrozoff and Cole

AN ACT Relating to day care; adding new sections to chapter 74.15 RCW; creating a new section; and making an appropriation.

Referred to Committee on Social & Health Services.

HB 886 by Representatives Ebersole, Betrozoff, Leonard, Cole, K. Wilson, Appelwick and Brough

AN ACT Relating to early childhood education; adding a new chapter to Title 28A RCW; making appropriations; providing effective dates; and declaring an emergency.

Referred to Committee on Education.

HB 887 by Representatives Ebersole, Betrozoff and Walker

AN ACT Relating to students; amending RCW 28A.02.201, 28A.03.360, and 28A.04.155; and making an appropriation.

Referred to Committee on Education.

HB 888 by Representatives Ebersole and Betrozoff

AN ACT Relating to school administrators; adding a new section to chapter 28A.03 RCW; and making an appropriation.

Referred to Committee on Education.

- HB 889 by Representatives Ebersole, Betrozoff, Brough and Walker  
 AN ACT Relating to teachers; adding new sections to chapter 28A.67 RCW; adding a new section to chapter 28A.70 RCW; and making an appropriation.  
 Referred to Committee on Education.
- HB 890 by Representatives Nealey and Baugher  
 AN ACT Relating to agricultural liens; adding a new chapter to Title 60 RCW; and repealing RCW 20.01.620, 20.01.630, 20.01.640, 20.01.650, 20.01.660, and 20.01.670.  
 Referred to Committee on Agriculture.
- HB 891 by Representative Ballard  
 AN ACT Relating to metropolitan park districts; and amending RCW 35.61.250.  
 Referred to Committee on Local Government.
- HB 892 by Representatives Crane and Todd  
 AN ACT Relating to industrial insurance; and amending RCW 51.12.020.  
 Referred to Committee on Commerce & Labor.
- HB 893 by Representatives Haugen and Doty  
 AN ACT Relating to local government; and amending RCW 35.31.020, 35.31.040, and 35A.31.030.  
 Referred to Committee on Local Government.
- HB 894 by Representative D. Nelson  
 AN ACT Relating to possible radon exposure; adding a new section to chapter 70.54 RCW; making an appropriation; and declaring an emergency.  
 Referred to Committee on Energy & Utilities.
- HB 895 by Representatives D. Nelson, Miller and Jacobsen  
 AN ACT Relating to state employees' insurance and health care; and adding a new section to chapter 41.05 RCW.  
 Referred to Committee on Ways & Means.
- HB 896 by Representatives D. Nelson, Miller, Tanner, Jacobsen and Barnes  
 AN ACT Relating to the support of the community colleges; adding a new section to chapter 43.79 RCW; creating a new section; repealing RCW 43.79.201 and 43.79.202; providing an effective date; and declaring an emergency.  
 Referred to Committee on Higher Education.
- HB 897 by Representative Sanders  
 AN ACT Relating to insurance claims; adding a new section to chapter 48.30 RCW; and prescribing penalties.  
 Referred to Committee on Financial Institutions & Insurance.
- HB 898 by Representative Sanders  
 AN ACT Relating to official misconduct; and adding a new section to chapter 42.20 RCW.  
 Referred to Committee on State Government.
- HB 899 by Representative Sanders  
 AN ACT Relating to highway speed limits; and amending RCW 46.61.405 and 46.61.410.  
 Referred to Committee on Transportation.

MOTION

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

## REPORTS OF STANDING COMMITTEES

February 6, 1985

- HB 3 Prime Sponsor, Representative Sutherland: Providing for protection from radiation. Reported by Committee on Rules

Referred to Committee on Ways & Means with proposed substitute.

February 5, 1985

- HB 14 Prime Sponsor, Representative Sutherland: Modifying provisions relating to salmon angling licenses. Reported by Committee on Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Basich, Belcher, Cole, Dobbs, Hankins, Hargrove, Haugen, Leonard, Lundquist, McMullen, D. Nelson, Sanders, Sayan, Thomas, van Dyke, J. Williams and S. Wilson.

Absent: Representatives Fuhrman, Hankins, D. Nelson and Sayan.

Passed to Committee on Rules for second reading.

February 5, 1985

- HB 62 Prime Sponsor, Representative Valle: Prohibiting smoking in certain public places. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Unsoeld, Vice Chair; Allen, Barnes, Brekke, Brough, Isaacson, Jacobsen, R. King, Lewis, Lux, May, Nutley and Valle.

Absent: Representative Bond.

Passed to Committee on Rules for second reading.

February 6, 1985

- HB 75 Prime Sponsor, Representative Walk: Prohibiting the use of metal studded tires. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendments:

On page 2, following section 1 add a new section as follows:

"NEW SECTION. Sec. 2. This act shall take effect July 1, 1988."

On page 1, line 1 of the title after "standards;" strike "and"

On page 1, line 2 of the title after "46.37.420" insert "; and providing an effective date"

Signed by Representatives Walk, Chair; Wineberry, Vice Chair; Baugher, Betrozoff, Brough, Fisch, Fisher, Gallagher, Hankins, Haugen, Kremen, Lundquist, Schmidt, C. Smith, Sutherland, Thomas, Valle, Van Luven and Zellinsky.

Voting nay: Representatives Prince and J. Williams.

Passed to Committee on Rules for second reading.

February 4, 1985

- HB 114 Prime Sponsor, Representative Fisch: Prohibiting alteration and use of official election materials in political campaigns. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fisher, Chair; Leonard, Vice Chair; Barnes, Barrett, Day, Fisch, Madsen, Miller, Nealey and Walker

Absent: Representative Sommers.

Passed to Committee on Rules for second reading.

February 6, 1985

- HB 119 Prime Sponsor, Representative Belcher: Increasing the cashout ratio for state employee's sick leave. Reported by Committee on Rules

Referred to Committee on Ways & Means with proposed substitute.

February 6, 1985

HB 151 Prime Sponsor, Representative Nealey: Authorizing expanded use of the state seal. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Belcher, Chair; Peery, Vice Chair; Baugher, Brooks, Fuhrman, Hankins, O'Brien, Sanders, Taylor, Vekich and Walk.

Absent: Representatives Todd and van Dyke.

Passed to Committee on Rules for second reading.

February 6, 1985

HB 152 Prime Sponsor, Representative Grimm: Increasing the amount of the initial biennial advance permitted each community college treasurer. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Sommers, Chair; Jacobsen, Vice Chair; Allen, Basich, Belcher, Hastings, Miller, D. Nelson, G. Nelson, Prince, Silver, Unsoeld, Vander Stoep, K. Wilson and Wineberry.

Absent: Representative Hastings.

Passed to Committee on Rules for second reading.

February 6, 1985

HB 178 Prime Sponsor, Representative Belcher: Establishing the Washington state internship program. Reported by Committee on Rules

Referred to Committee on Ways & Means with proposed substitute.

February 4, 1985

HB 220 Prime Sponsor, Representative Unsoeld: Modifying provisions relating to the productivity board. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Belcher, Chair; Peery, Vice Chair; Baugher, Brooks, Fuhrman, Hankins, O'Brien, Sanders, Todd, van Dyke, Vekich and Walk.

Passed to Committee on Rules for second reading.

February 5, 1985

HB 231 Prime Sponsor, Representative Ehlers: Revising salaries of elected state officials. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Brekke, Hine, Holland, J. King, Madsen, Niemi, Rust, Sayan, Smitherman and Sommers.

MINORITY recommendation: Do not pass. Signed by Representatives Hastings, Sanders, Silver, L. Smith and B. Williams.

Voting nay: Representatives Bristow, Hastings, Locke, Long, G. Nelson, Sanders, Silver, L. Smith, Taylor, Tilly, Vander Stoep and B. Williams.

Passed to Committee on Rules for second reading.

February 6, 1985

HB 261 Prime Sponsor, Representative Ebersole: Changing certain provisions relating to school plant facilities. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Ebersole, Chair; Valle, Vice Chair; Appelwick, Betrozoff, Chandler, Cole, Holland, P. King, Long, Peery, Rayburn, Rust, Schoon, L. Smith, Taylor, Walker and Wang.

Absent: Representatives Fuhrman and Todd.

Passed to Committee on Rules for second reading.

February 5, 1985

HB 271 Prime Sponsor, Representative Patrick: Allowing assistance vans to stop on limited access facilities. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Wineberry, Vice Chair; Baugher, Betrozoff, Brough, Fisch, Fisher, Gallagher, Hankins, Haugen, Kremen, Lundquist, McMullen, Patrick, Prince, Schmidt, C. Smith, Sutherland, Tanner, Thomas, Valle, J. Williams, K. Wilson and Zellinsky.

Absent: Representatives Bond, Brough, Fisch, McMullen, Prince, Sutherland and Tanner.

Passed to Committee on Rules for second reading.

February 7, 1985

HB 293 Prime Sponsor, Representative Unsoeld: Increasing members of the boards of trustees of the regional universities and The Evergreen State College. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Sommers, Chair; Jacobsen, Vice Chair; Allen, Basich, Belcher, Hastings, Miller, D. Nelson, G. Nelson, Prince, Silver, Unsoeld, Vander Stoep, K. Wilson and Wineberry.

Absent: Representative Silver.

Passed to Committee on Rules for second reading.

February 5, 1985

HB 309 Prime Sponsor, Representative Vekich: Modifying provisions relating to aquatic farming. Reported by Committee on Agriculture

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Vekich, Chair; Baugher, Vice Chair; Ballard, Bristow, Brooks, Chandler, Doty, Kremen, Madsen, Nealey and Peery.

Passed to Committee on Rules for second reading.

February 6, 1985

HB 312 Prime Sponsor, Representative O'Brien: Revising the minimum school hours and day requirements for private schools. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Ebersole, Chair; Valle, Vice Chair; Appelwick, Betrozoff, Chandler, Cole, Holland, P. King, Long, Peery, Rayburn, Rust, Schoon, L. Smith, Taylor, Walker and Wang.

Absent: Representative Fuhrman and Todd.

Passed to Committee on Rules for second reading.

February 7, 1985

HB 331 Prime Sponsor, Representative Sommers: Revising certain laws governing higher education. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 19 strike all of section 2 and renumber the sections consecutively.

On page 1, line 1 of the title after "28B.10.115" strike all material through "28B.10.140," on line 2

Signed by Representatives Sommers, Chair; Jacobsen, Vice Chair; Allen, Basich, Belcher, Hastings, Miller, D. Nelson, G. Nelson, Prince, Silver, Unsoeld, Vander Stoep, K. Wilson and Wineberry.

Absent: Representative Silver.

Passed to Committee on Rules for second reading.

February 5, 1985

HB 428 Prime Sponsor, Representative Fisch: Revising education requirements for real estate license application. Reported by Committee on Commerce & Labor



MAJORITY recommendation: The substitute bill be substituted therefor and the substitute do pass. Signed by Representatives Wang, Chair; Betzoff, Chandler, Ebersole, Fisch, Fisher, R. King, O'Brien, Patrick, Sayan, C. Smith, Walker and J. Williams.

Absent: Representative Cole, Vice Chair.

Passed to Committee on Rules for second reading.

February 6, 1985

HJR 6 Prime Sponsor, Representative Ehlers: Providing for the organization of state government. Reported by Committee on State Government

MAJORITY recommendation: The substitute resolution be substituted therefor and the substitute resolution do pass. Signed by Representatives Belcher, Chair; Peery, Vice Chair; Baugher, Fuhrman, Hankins, Taylor, van Dyke, Vekich and Walk.

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

Passed to Committee on Rules for second reading.

#### SECOND READING

HOUSE BILL NO. 73, by Representatives Kremen, Thomas and Lundquist; by Department of Transportation request

Permitting designees of certain agency directors to serve on the commission on equipment.

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

HOUSE BILL NO. 77, by Representatives Walk, S. Wilson, Schmidt, Valle, Fisch and Haugen; by Department of Transportation request

Removing the performance requirements for high-speed passenger ferries from the 1977 bond authorization.

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

HOUSE BILL NO. 80, by Representatives Walk, Schmidt, Valle, Betzoff and J. Williams; by Department of Transportation request

Updating state highway routes.

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

HOUSE BILL NO. 109, by Representatives Brekke, Lewis, B. Williams and Winsley; by Department of Social and Health Services request

Revising population limitations in juvenile residential facilities.

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

HOUSE BILL NO. 181, by Representatives Brekke, Tilly, Sommers, G. Nelson, Vander Stoep, Grimm, B. Williams, P. King, Bond, Long, Sayan, R. King, Isaacson, Patrick, May, Miller, Brough and Silver; by Legislative Budget Committee request

Extending state coordination of sexual assault programs.

The bill was read the second time. Committee on Social & Health Services recommendation: Majority, do pass as amended. (For amendment, see Journal, 19th Day, February 1, 1985.)

On motion of Ms. Brekke, the committee amendment was adopted.

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

HOUSE CONCURRENT RESOLUTION NO. 3, by Representatives Sommers, Tilly, Wang, B. Williams, Grimm, Braddock, Patrick, Silver, Winsley, P. King, Schoon and Long

Continuing the joint interim committee on public retirement.

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

#### THIRD READING

ENGROSSED HOUSE BILL NO. 54, by Representatives Armstrong, D. Nelson, Van Luven, Jacobsen, Nealey, Long, Sutherland, Lundquist, Gallagher and Wang

Defining the tort liability of operators of radioactive waste repositories.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 54, and the bill passed the House by the following vote: Yeas, 87; nays, 5; absent, 2; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Holland, Jacobsen, King J. King P. King R. Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Nealey, Nelson D. Nelson G. Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C. Smith L. Sommers, Sutherland, Tanner, Taylor, Tilly, Todd, Unsöld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 87.

Voting nay: Representatives Bond, Fuhrman, Hastings, Isaacson, Sanders - 5.

Absent: Representatives Crane, Thomas - 2.

Excused: Representatives Hankins, Miller, Prince, Smitherman - 4.

Engrossed House 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.

#### STATEMENT FOR THE JOURNAL

Please add to the record that due to being called off the floor of the House, I was unable to vote on Engrossed House Bill No. 54. I would have voted 'Yes.'

LINDA THOMAS, 26th District.

SUBSTITUTE HOUSE BILL NO. 2, by Committee on State Government (originally sponsored by Representative Belcher)

Government employee exchange program.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2, and the bill passed the House by the following vote: Yeas, 94; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J. King P. King R. Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Nealey, Nelson D. Nelson G. Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C. Smith L. Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsöld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B. Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Hankins, Miller, Prince, Smitherman - 4.

Substitute House 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.

SUBSTITUTE HOUSE BILL NO. 4, by Committee on Local Government (originally sponsored by Representatives Rayburn and Baugher)

Changing requirements for the removal of county seats.

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

Ms. Rayburn spoke in favor of passage of the bill, and Representatives Brough and Lewis spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 4, and the bill passed the House by the following vote: Yeas, 51; nays, 43; excused, 4.

Voting yea: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Sayan, Scott, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 51.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fisher, Fuhrman, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Nealey, Nelson G, Padden, Patrick, Rust, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S - 43.

Excused: Representatives Hankins, Miller, Prince, Smitherman - 4.

Substitute House 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.

HOUSE BILL NO. 27, by Representatives Haugen, Brough, Lundquist, P. King and Rayburn

Authorizing a reduction in councilmanic offices in certain code cities.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 27, and the bill passed the House by the following vote: Yeas, 93; nays, 1; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Lundquist, Lux, Madsen, May, McMullen, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representative Long - 1.

Excused: Representatives Hankins, Miller, Prince, Smitherman - 4.

House Bill No. 27, having received the 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. 28, by Committee on Local Government (originally sponsored by Representatives Haugen, Brough, P. King, Crane and Rayburn)

Authorizing biennial municipal budgets.

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

Representatives Haugen, Brough and Nutley spoke in favor of passage of the bill, and Representatives Holland, Sanders and Long spoke against it.

Representatives Haugen and Brough spoke again in favor of the bill, and Representatives Holland and Sanders again opposed it.

Ms. Haugen spoke again in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 28, and the bill passed the House by the following vote: Yeas, 76; nays, 18; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brough, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, Madsen, May, McMullen, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Rayburn, Rust, Sayan, Schoon, Scott, Silver, Smith L, Sommers, Sutherland, Tanner, Thomas, Tilly, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, Williams B, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 76.

Voting nay: Representatives Barnes, Bond, Brooks, Chandler, Dobbs, Hastings, Holland, Isaacson, Long, Lundquist, Padden, Sanders, Schmidt, Smith C, Taylor, van Dyke, West, Williams J - 18.

Excused: Representatives Hankins, Miller, Prince, Smitherman - 4.

Substitute House Bill No. 28, having received the 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. 386, by Committee on Ways & Means (originally sponsored by Representatives Grimm, Tilly, Braddock and Holland; by Governor Gardner request)

Adopting the supplemental budget.

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

Representatives Braddock, Taylor, Tilly and Hastings spoke in favor of passage of the bill, and Representatives B. Williams and Sanders spoke against it.

Representative Braddock spoke again in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 386, and the bill passed the House by the following vote: Yeas, 83; nays, 11; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Schoon, Scott, Silver, Smith C, Smith L, Sommers, Sutherland, Tanner, Taylor, Tilly, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 83.

Voting nay: Representatives Bond, Dobbs, Fuhrman, Padden, Patrick, Sanders, Schmidt, Thomas, van Dyke, Williams B, Williams J - 11.

Excused: Representatives Hankins, Miller, Prince, Smitherman - 4.

Engrossed Substitute House Bill No. 386, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

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

On motion of Mr. J. King, HOUSE BILL NO. 408 was rereferred from Committee on Local Government to Committee on Ways & Means.

## RESOLUTION

HOUSE FLOOR RESOLUTION NO. 85-11, by Representatives Sayan, J. King, Lundquist, Basich, Fisch, Bristow, Peery, Hargrove, Baugher, Vekich and Haugen

WHEREAS, The only major research effort in forest-animal damage control continues to be the U.S. Fish and Wildlife Service's Forest Animal Damage Control Research Project, Olympia, Washington and Bend, Oregon; and

WHEREAS, This research directly benefits management of this nation's forests as well as nonindustrial private landowners, environmental groups, federal and state agencies and other private forest organizations; and

WHEREAS, The U.S. Fish and Wildlife Service has not planned for the continued support of this project and is proceeding with closure of the Olympia and Bend Field Stations and the transfer or termination of station employees;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives respectfully prays that Congress:

- (1) Direct the U.S. Fish and Wildlife Service to halt immediately dispersal of personnel and closure of the Olympia and Bend stations;
- (2) Provide a supplemental appropriation to the U.S. Department of the Interior, Fish and Wildlife Service, covering the operation and administrative costs of this program for fiscal year 1985;
- (3) Direct the U.S. Fish and Wildlife Service to contract with the U.S. Department of Agriculture, Forest Service for the administration of the Forest Animal Damage Research Program at Olympia and Bend for fiscal year 1985; and
- (4) Seek an alternative for the continuing function and support of the Forest-Animal Damage Research Project beyond fiscal year 1985; and

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted to the Honorable Ronald Reagan, President of the United States; and

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted to the President of the United States Senate and to the Speaker of the United States House of Representatives; and

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted to each member of the United States Senate from the State of Washington and to each member of the United States House of Representatives from the State of Washington.

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

## MOTION

The Speaker (Mr. O'Brien presiding) declared the House to be at ease until 5:00 p.m.

## EVENING SESSION

The House was called to order at 5:00 p.m. by the Speaker (Mr. J. King presiding).

## INTRODUCTIONS AND FIRST READING

HB 900 by Representatives Day, Todd, Padden, Gallagher, Barrett, Dellwo, Cole, Bristow, J. Williams, Winsley and Rayburn

AN ACT Relating to local government: adding a new section to chapter 35.21 RCW; adding a new section to chapter 36.32 RCW; and creating a new section.

HB 901 by Representative Sanders

AN ACT Relating to compulsory school attendance; and amending RCW 28A.27.010, 28A.27.040, and 28A.27.090.

HB 902 by Representatives Sanders and Vekich

AN ACT Relating to protected wildlife; and amending RCW 77.08.010, 77.32.320, and 77.32.340.

HB 903 by Representatives Sanders and Vekich

AN ACT Relating to financial institutions; and amending RCW 30.04.505 and 30.04.510.

HB 904 by Representative Armstrong

AN ACT Relating to licensed service providers; adding a new section to chapter 71.24 RCW; and creating a new section.

HB 905 by Representatives Grimm, Walk, Miller and Winsley

AN ACT Relating to woodstove emissions; and adding a new chapter to Title 70 RCW.

HB 906 by Representative Belcher

AN ACT Relating to anadromous fish; amending RCW 75.08.011; and creating a new section.

HB 907 by Representative J. King

AN ACT Relating to the preservation of waterfalls; and adding a new section to chapter 90.54 RCW.

HB 908 by Representative Smitherman

AN ACT Relating to air pollution; and amending RCW 70.94.700.

HB 909 by Representative Smitherman

AN ACT Relating to environmental action appeals; and amending RCW 43.21C.075.

HB 910 by Representatives Smitherman, S. Wilson, Thomas, L. Smith and Wang

AN ACT Relating to the youth development and conservation corps; and amending RCW 43.51.570.

HB 911 by Representatives K. Wilson, Leonard, Tanner, Sanders, Isaacson and Wang

AN ACT Relating to harassment; amending RCW 9.61.230; adding a new chapter to Title 9A RCW; creating a new section; repealing RCW 9.58.110 and 9.58.120; providing penalties; providing an effective date; and declaring an emergency.

HB 912 by Representatives Belcher and Tanner

AN ACT Relating to domestic relations; and amending RCW 26.09.080, 26.09.090, 26.09.140, 26.09.250, and 26.09.260.

HB 913 by Representative Belcher

AN ACT Relating to public employment; adding new sections to chapter 41.06 RCW; amending RCW 41.64.110, 41.06.020, 41.06.040, 41.06.070, 41.06.080, 41.06.120, 41.06.155, 41.06.160, 41.06.163, 41.06.167, 41.06.170, 41.06.270, 41.06.340, 41.06.350, 41.06.400, 41.06.410, 41.06.420, 41.06.430, 41.06.440, and 41.06.450; creating new sections; repealing RCW 41.06.010, 41.06.030, 41.06.110, 41.06.130, 41.06.140, 41.06.150, 41.06.169, 41.06.175, 41.06.185, 41.06.195, 41.06.205, 41.06.215, 41.06.220, 41.06.230, 41.06.240, 41.06.280, 41.06.300, 41.06.310, 41.06.320, 41.06.330, 28B.16.010, 28B.16.020, 28B.16.030, 28B.16.040, 28B.16.060, 28B.16.070, 28B.16.080, 28B.16.090, 28B.16.100, 28B.16.101, 28B.16.105, 28B.16.110, 28B.16.112, 28B.16.113, 28B.16.116, 28B.16.120, 28B.16.130, 28B.16.140, 28B.16.150, 28B.16.160, 28B.16.170, 28B.16.180, 28B.16.190, 28B.16.210, 28B.16.220, 28B.16.230, 28B.16.240, 28B.16.250, 28B.16.260, 28B.16.270, 28B.16.280, 28B.16.290, 28B.16.900, 28B.16.910, 28B.16.920, and 28B.16.930; providing effective dates; and declaring an emergency.

HB 914 by Representatives Appelwick and Grimm

AN ACT Relating to timber tax distributions; amending RCW 84.33.081; and creating a new section.

HB 915 by Representatives Fisch, Sutherland, Peery and Hargrove

AN ACT Relating to the timber excise tax; and amending RCW 84.33.081.

HB 916 by Representative Barrett

AN ACT Relating to transient merchants; adding a new chapter to Title 18 RCW; prescribing penalties; and declaring an emergency.

HB 917 by Representative Sayan

AN ACT Relating to unemployment compensation coverage for corporate officers; and repealing RCW 50.04.165.

HB 918 by Representatives Dellwo and Barrett

AN ACT Relating to public stadiums, convention, performing arts, and visual arts facilities; amending RCW 67.28.120, 67.28.150, 67.28.160, and 67.28.210; adding new sections to chapter 67.28 RCW; and recodifying RCW 67.28.220.

HB 919 by Representative Braddock

AN ACT Relating to higher education; amending RCW 28B.15.031, 28B.15.041, and 28B.15.100; and adding new sections to chapter 28B.15 RCW.

HB 920 by Representatives Braddock and Brekke

AN ACT Relating to revenue and taxation; amending RCW 82.03.130, 82.03.140, and 82.03.180; reenacting and amending 82.08.020; adding a new title to the Revised Code of Washington to be numbered Title 82A RCW; prescribing penalties; and providing an effective date.

HB 921 by Representatives Sommers, Belcher and Wineberry

AN ACT Relating to higher education; creating a new section; and making an appropriation.

HB 922 by Representative West

AN ACT Relating to court costs; and amending RCW 10.01.160.

HB 923 by Representatives Grimm, Brekke and Wineberry

AN ACT Relating to revenue and taxation; amending RCW 82.03.130, 82.03.140, and 82.03.180; adding a new title to the Revised Code of Washington to be numbered Title 82A RCW; repealing RCW 82.04.220, 82.04.230, 82.04.240, 82.04.250, 82.04.255, 82.04.260, 82.04.270, 82.04.280, 82.04.290, 82.04.2901, and 82.04.2904; prescribing penalties; and providing an effective date.

HB 924 by Representatives Valle, Jacobsen and Barnes

AN ACT Relating to port districts; and amending RCW 53.08.260.

HB 925 by Representatives Valle, Holland, Ebersole, Rayburn, Betzoff, Jacobsen, Barnes, Walker, Long, May, Todd and Wang

AN ACT Relating to certificated employees; amending RCW 28A.67.065 and 28A.67.072; adding new sections to chapter 28A.03 RCW; adding new sections to chapter 28A.67 RCW; creating new sections; and declaring an emergency.

HB 926 by Representatives Sommers, Jacobsen, Miller and Wineberry

AN ACT Relating to the state museum of the University of Washington; amending RCW 27.40.010; repealing RCW 43.131.263 and 43.131.264; providing an effective date; and declaring an emergency.

HB 927 by Representatives Grimm, Appelwick, Braddock, Todd, Belcher, Unsoeld, Armstrong, Wineberry and Holland

AN ACT Relating to a single rate business excise tax; amending RCW 82.04.080, 82.04.220, 82.04.300, 82.04.310, 82.04.320, 82.04.330, 82.04.335, 82.04.360, 82.04.390, 82.04.405, 82.04.408, 82.04.410, 82.04.419, 82.04.4286, 82.04.4287, 82.04.4294, and 82.04.4284; adding new sections to chapter 82.04 RCW; creating a new section; and repealing RCW 82.04.230, 82.04.240, 82.04.250, 82.04.255, 82.04.260, 82.04.270, 82.04.280, 82.04.290, 82.04.2901, 82.04.2902, 82.04.2903, 82.04.2904, 82.04.315, 82.04.325, 82.04.340, 82.04.350, 82.04.355, 82.04.365, 82.04.370, 82.04.380, 82.04.385, 82.04.395, 82.04.397, 82.04.415, 82.04.417, 82.04.418, 82.04.423, 82.04.425, 82.04.4271, 82.04.4281, 82.04.4282, 82.04.4283, 82.04.4285, 82.04.4288, 82.04.4289, 82.04.4291, 82.04.4292, 82.04.4293, 82.04.4295, 82.04.4296, 82.04.4297, 82.04.4298, 82.04.431, 82.04.432, 82.04.4322, 82.04.4324, 82.04.4326, 82.04.4328, 82.04.435, 82.04.440, 82.04.444, 82.04.445, 82.04.450, 82.04.460, 82.04.600, and 82.04.900.

HB 928 by Representatives Silver, B. Williams, L. Smith, Holland, Lewis, Schoon, May, Thomas and Kremen

AN ACT Relating to budget and accounting; and adding a new section to chapter 43.88 RCW.

- HB 929** by Representatives Dellwo, Day, Silver, Barrett, Taylor, Miller and May  
AN ACT Relating to driving while intoxicated; amending RCW 46.61.515; creating a new chapter in Title 36 RCW; adding a new section to chapter 43.59 RCW; creating a new section; prescribing penalties; declaring an emergency; and providing an effective date.
- HB 930** by Representatives Leonard, Brekke, Locke, Wineberry, Winsley, D. Nelson, Lewis, Lux, Brooks, Ebersole, Cole, Allen, Braddock, Armstrong, K. Wilson, Niemi, Vaile, Miller, Addison, Scott, R. King, Isaacson and Wang  
AN ACT Relating to "street kids"; creating a new section; making an appropriation; and providing an expiration date.
- HB 931** by Representatives Locke, Niemi, Belcher, Dellwo, Crane and Tanner  
AN ACT Relating to victims of sexual assault; and amending RCW 70.125.065.
- HB 932** by Representatives K. Wilson, Allen, P. King, Armstrong, Miller, Leonard, Lewis, G. Nelson, Tanner, Patrick, Brough, May, Winsley and Todd  
AN ACT Relating to child abuse; amending RCW 9.69.100 and 26.44.030; adding new sections to chapter 26.44 RCW; creating a new section; and prescribing penalties.
- HB 933** by Representatives Appelwick, Barrett, Armstrong, Lewis, Locke, Wang, Niemi, Padden, Miller, Ballard and Scott  
AN ACT Relating to privileged communications for registered nurses; and adding new sections to chapter 5.60 RCW.
- HB 934** by Representatives McMullen, Padden, Hargrove, Schmidt and Dellwo  
AN ACT Relating to public works contract claims; and adding a new section to chapter 39.04 RCW.
- HB 935** by Representatives D. Nelson, Sommers, Miller, Jacobsen, G. Nelson, Belcher, Fisch, Scott, Brough and Holland  
AN ACT Relating to community colleges; and amending RCW 28B.50.140.
- HB 936** by Representatives Crane, Barrett, Wang, Holland, P. King, K. Wilson, Jacobsen and Winsley  
AN ACT Relating to loans; amending RCW 33.12.012 and 31.12.136; adding new sections to chapter 64.04 RCW; creating a new section; and providing an effective date.
- HB 937** by Representatives R. King, Scott, K. Wilson and P. King  
AN ACT Relating to compensation of child crime victims; and amending RCW 7.68.070.
- HB 938** by Representatives Patrick, K. Wilson, Hankins, Betzoff, Zellinsky and May  
AN ACT Relating to motor vehicles; and amending RCW 46.16.006.
- HB 939** by Representatives P. King, Padden, Scott, Crane, May and Dellwo  
AN ACT Relating to judgment liens; and amending RCW 4.56.200.
- HB 940** by Representatives Hargrove, Tanner, Haugen, Bristow, McMullen and May  
AN ACT Relating to small business; amending RCW 34.04.070, 34.04.230, and 43.31-.925; and adding a new section to chapter 19.85 RCW.
- HB 941** by Representatives Tilly, Locke, Sanders and Long  
AN ACT Relating to tobacco products; and amending RCW 82.02.030.
- HB 942** by Representatives L. Smith and Brooks  
AN ACT Relating to referendum procedures on local taxation; and amending RCW 35.21.706 and 82.46.021.
- HB 943** by Representatives Scott, Appelwick and Crane  
AN ACT Relating to technology transfer; adding a new chapter to Title 43 RCW; making an appropriation; and providing an expiration date.
- HB 944** by Representatives Haugen, Niemi, Doty and Isaacson



AN ACT Relating to alternative residential placement; and amending RCW 13.32A.175.

**HB 945** by Representatives McMullen, Appelwick, Lundquist and Wineberry

AN ACT Relating to the center for international trade and economic development; adding a new section to chapter 28B.20 RCW; and creating a new section.

**HB 946** by Representatives Nealey, Allen and Brough

AN ACT Relating to revenue and taxation; amending RCW 82.03.130, 82.03.140, 82.03.180, 84.52.043, 43.135.020, and 76.12.120; reenacting and amending RCW 82.08.020; adding a new title to the Revised Code of Washington to be numbered Title 82A RCW; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; adding a new section to chapter 84.52 RCW; repealing RCW 82.04.220, 82.04.230, 82.04.240, 82.04.250, 82.04.255, 82.04.260, 82.04.270, 82.04.280, 82.04.290, 82.04.2901, 82.04.2904, 84.52.065, and 84.52.067; prescribing penalties; and providing an effective date.

**HB 947** by Representative Barnes; by Secretary of State request

AN ACT Relating to lapsing of special and general elections for certain offices; adding a new section to chapter 29.04 RCW; and providing an effective date.

**HB 948** by Representatives D. Nelson, Long, Todd and Unsoeld; by Washington State Energy Office request

AN ACT Relating to energy-related building standards; amending RCW 19.27.030, 19.27.070, and 19.27.075; adding new sections to chapter 19.27 RCW; repealing RCW 19.27.200, 19.27.210, 19.27.220, 19.27.230, 19.27.240, 19.27.250, 19.27.260, 19.27.270, 19.27.280, 19.27.290, 19.27.300, 19.27.310, and 19.27.905; providing effective dates; and declaring an emergency.

**HB 949** by Representatives D. Nelson, Unsoeld and Isaacson; by Washington State Energy Office request

AN ACT Relating to procurement of energy equipment and services under performance-based contracts by municipalities; amending RCW 35.22.620, 35.23.352, 36.32.240, and 36.32.250; adding a new section to chapter 39.04 RCW; adding a new chapter to Title 39 RCW; and creating a new section.

**HB 950** by Representatives Tanner, Miller, Ebersole, Appelwick, Tilly, P. King, Lewis, Zellinsky, Dobbs, Haugen, Prince, Gallagher, Basich, Isaacson, Fisch, Smitherman, West, Sanders, Hastings, Todd, Holland, Bond, J. Williams, Long, Hankins and Van Luven

AN ACT Relating to business and occupation taxation; and adding a new section to chapter 82.04 RCW.

**HB 951** by Representatives Addison, Zellinsky, P. King, Sanders, Holland, Fuhrman, Dobbs, Long, Doty, L. Smith and Isaacson

AN ACT Relating to the community work and training program; and amending RCW 74.04.473.

**HB 952** by Representatives Addison and P. King

AN ACT Relating to the education and protection of children; amending RCW 28A.02.201 and 28A.05.010; and making an appropriation.

**HB 953** by Representative Gallagher

AN ACT Relating to the housing finance commission; and amending RCW 43.180.050 and 43.180.070.

**HB 954** by Representatives O'Brien, Betzoff, Fisch, S. Wilson, Unsoeld, Barrett, Sayan, Winsley and Miller; by 1989 Washington Centennial Commission request

AN ACT Relating to the celebration of the 1989 centennial of Washington statehood; making appropriations; providing an effective date; and declaring an emergency.

**HB 955** by Representatives Hine, Schoon, Brough, May and Isaacson

AN ACT Relating to excess levies; and reenacting and amending RCW 84.52.0531.

**HB 956** by Representatives Locke and Hine

AN ACT Relating to local government; amending RCW 35.21.730, 35.21.745, 35.21.735, 35.21.740, and 35.21.755; and repealing RCW 35.21.725.

- HB 957** by Representatives Winsley, Crane, Barrett, West, Zellinsky, P. King and Holland  
AN ACT Relating to insurance; and amending RCW 48.22.030 and 48.22.040.
- HB 958** by Representatives McMullen, Haugen and Lundquist  
AN ACT Relating to island trust land transfers; amending RCW 43.51.270 and 43.51.280; and creating a new section.
- HB 959** by Representatives McMullen, Ebersole, Belcher, Jacobsen and K. Wilson  
AN ACT Relating to civil actions; and adding a new section to chapter 66.44 RCW.
- HB 960** by Representatives McMullen and Wang  
AN ACT Relating to actions by workers against third parties under Title 51 RCW; and amending RCW 51.24.030.
- HB 961** by Representatives K. Wilson, G. Nelson, R. King and Schmidt  
AN ACT Relating to public transportation; and creating a new chapter in Title 81 RCW.
- HB 962** by Representative Sutherland  
AN ACT Relating to homesteads; and amending RCW 6.12.100.
- HB 963** by Representatives Zellinsky and Hine  
AN ACT Relating to shoreline areas; and adding a new section to chapter 90.58 RCW.
- HB 964** by Representatives Hine and Unsoeld  
AN ACT Relating to dredging; and adding a new section to chapter 43.21A RCW.
- HB 965** by Representatives Tanner, Taylor, Smitherman, Allen, Baugher, Bristow, Brooks, Fisch, Fisher, Hankins, Holland, Leonard, Lundquist, May, Miller, Rayburn, Rust, C. Smith, L. Smith, Smitherman, Thomas, Walker, K. Wilson, Dobbs, Unsoeld, J. Williams, Haugen and Doty  
AN ACT Relating to privileged communications; and amending RCW 5.60.060.
- HB 966** by Representatives Ebersole, Taylor, Braddock, Allen, Baugher, Bristow, Brooks, Fisch, Fisher, Hankins, Holland, Leonard, Lundquist, May, Miller, Rust, C. Smith, L. Smith, Smitherman, Thomas, Vekich, Walker, K. Wilson, Dobbs, Unsoeld, J. Williams, Long, Haugen and Doty  
AN ACT Relating to evidence in personal injury and wrongful death actions; and adding a new section to chapter 4.22 RCW.
- HB 967** by Representatives Zellinsky, Taylor, Braddock, Allen, Brekke, Bristow, Brooks, Fisch, Fisher, Hankins, Holland, Leonard, Lundquist, May, Miller, Rust, C. Smith, L. Smith, Smitherman, Thomas, Vekich, Walker, K. Wilson, Dobbs, Unsoeld, J. Williams, Winsley, Haugen and Doty  
AN ACT Relating to evidence in personal injury and wrongful death actions; adding a new section to chapter 4.24 RCW; and repealing RCW 7.70.080.
- HB 968** by Representatives Haugen, Taylor, Braddock, Allen, Baugher, Bristow, Brooks, Fisch, Fisher, Hankins, Holland, Leonard, Lundquist, May, Miller, Rayburn, Rust, C. Smith, L. Smith, Smitherman, Thomas, Vekich, Walker, K. Wilson, Dobbs, Unsoeld, J. Williams, Winsley, Isaacson and Doty  
AN ACT Relating to payment of judgments in personal injury and wrongful death actions; and adding a new section to chapter 4.56 RCW.
- HB 969** by Representative D. Nelson  
AN ACT Relating to conflict of interest; amending RCW 42.17.150; adding a new section to chapter 42.17 RCW; and adding a new section to chapter 42.18 RCW.
- HB 970** by Representatives D. Nelson, Rust, Valle, Brekke and Lux  
AN ACT Relating to the model litter control and recycling act; amending RCW 70.93.030, 70.93.130, 70.93.194, and 70.93.200; adding new sections to chapter 43.131 RCW; creating a new section; repealing RCW 70.93.010, 70.93.020, 70.93.030, 70.93.040, 70.93.050,

70.93.060, 70.93.070, 70.93.080, 70.93.090, 70.93.100, 70.93.110, 70.93.120, 70.93.130, 70.93.140, 70.93.150, 70.93.160, 70.93.170, 70.93.180, 70.93.194, 70.93.200, 70.93.210, 70.93.230, 70.93.900, 70.93.910, and 70.93.920; and providing an effective date.

HB 971 by Representatives D. Nelson and Brekke

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

HB 972 by Representatives Vekich, Unsoeld and Wang

AN ACT Relating to consumer credit reporting; adding a new chapter to Title 19 RCW; and prescribing penalties.

HB 973 by Representatives Rust, Jacobsen and Allen

AN ACT Relating to outdoor recreation; amending RCW 46.09.110, 46.09.170, 46.09-.240, and 46.09.270; and adding a new section to chapter 46.09 RCW.

HB 974 by Representatives Rust, Allen, Jacobsen, Lewis, Unsoeld, Valle, May, Miller, K. Wilson and Todd

AN ACT Relating to acid rain; amending RCW 70.94.800, 70.94.805, and 70.94.820; adding new sections to chapter 70.94 RCW; making appropriations; and declaring an emergency.

HB 975 by Representatives Rust, Allen, Jacobsen, Unsoeld, Barnes, Valle and Lux

AN ACT Relating to hazardous waste planning and facility siting; amending RCW 70.105.010; and adding new sections to chapter 70.105 RCW.

HB 976 by Representatives Brough, Haugen, Grimm, Madsen, Schoon and Hine

AN ACT Relating to ad hoc community councils; amending RCW 36.32.500 and 36.32.505; and adding new sections to chapter 36.32 RCW.

HB 977 by Representatives J. King, West, Zellinsky, Holland and Barrett

AN ACT Relating to insurance holding corporations; amending RCW 48.07.030, 48.07-.040, 48.07.050, and 48.07.070; and declaring an emergency.

HB 978 by Representative Nutley

AN ACT Relating to right of way improvements; and amending RCW 35.72.010.

HB 979 by Representatives Haugen, Sommers, Zellinsky, P. King and J. King

AN ACT Relating to education in maritime studies; and amending RCW 28B.80.160.

HB 980 by Representatives Cole, Unsoeld and Rust

AN ACT Relating to environmental education; creating new sections; and making an appropriation.

HB 981 by Representative R. King

AN ACT Relating to school district employees; and amending RCW 28A.58.099.

HB 982 by Representatives Silver, J. King, Hankins, Doty, Day, Walker, Braddock, Thomas, May, West, B. Williams, Miller, Schoon, Long, Hankins, Winsley, Thomas and L. Smith

AN ACT Relating to expanding the responsibilities of the business license center; amending RCW 19.02.010, 19.02.040, 19.02.100, 19.02.110, and 19.02.810; and adding a new section to chapter 19.02 RCW.

HB 983 by Representatives Silver, Dellwo, Taylor, Day, Barrett, West, Padden and Bond

AN ACT Relating to the taxation of military installations on the national register of historic places; amending RCW 84.36.800, 84.36.805, and 84.36.810; and adding a new section to chapter 84.36 RCW.

HB 984 by Representatives Silver, Schoon, Taylor and Tilly

AN ACT Regulating contributions from political committees; and adding a new section to chapter 42.17 RCW.

HB 985 by Representatives Rayburn and Baugher

AN ACT Relating to state general obligation bonds for agricultural water supply facilities; and adding a new chapter to Title 43 RCW.

HB 986 by Representative Baugher

AN ACT Relating to riparian water rights; and amending RCW 90.03.010.

HB 987 by Representatives Patrick, Ballard, S. Wilson, Walker, Chandler, Betzoff, Van Luven, Thomas, J. Williams, Prince, Brooks, L. Smith, Dobbs, Sanders, West, May, Fuhrman, Nealey, Holland, Hastings, Silver, Barrett, Barnes, van Dyke, Allen, Doty, Bristow, Miller, Tilly, G. Nelson, Isaacson, Schoon, Vander Stoep, Brough, Bond, Long and C. Smith

AN ACT Relating to workers' compensation; amending RCW 43.22.030, 48.32.020, 51.04.020, 51.04.030, 51.04.040, 51.04.070, 51.04.085, 51.04.100, 51.04.105, 51.08.013, 41.06.070, 51.08.015, 51.08.100, 51.08.160, 51.12.050, 51.12.070, 51.12.100, 51.12.110, 51.12.120, 51.12.140, 51.12.150, 51.14.010, 51.14.020, 51.14.050, 51.14.150, 51.16.035, 51.16.060, 51.16.070, 51.16.100, 51.16.120, 51.16.140, 51.16.150, 51.24.030, 51.24.050, 51.24.060, 51.24.070, 51.24.080, 51.24.090, 51.28.010, 51.28.020, 51.28.025, 51.28.030, 51.28.070, 51.32.010, 51.32.015, 51.32.030, 51.32.040, 51.32.050, 51.32.055, 51.32.060, 51.32.072, 51.32.073, 51.32.075, 51.32.080, 51.32.090, 51.32.095, 51.32.110, 51.32.130, 51.32.135, 51.32.150, 51.32.160, 51.32.190, 51.32.200, 51.32.210, 51.32.220, 51.32.230, 51.32.240, 51.32.250, 51.36.010, 51.36.020, 51.36.040, 51.36.060, 51.36.070, 51.36.080, 51.44.040, 51.44.070, 51.44.140, 51.44.150, 51.48.010, 51.48.015, 51.48.017, 51.48.020, 51.48.040, 51.48.050, 51.48.060, 51.48.090, 51.48.110, 51.48.120, 51.48.130, 51.48.140, 51.48.150, 51.52.010, 51.52.030, 51.52.050, 51.52.060, 51.52.070, 51.52.080, 51.52.095, 51.52.100, 51.52.110, 51.52.120, 51.52.130, 51.52.132, and 51.52.135; adding a new section to chapter 48.19 RCW; adding a new section to chapter 51.04 RCW; adding new sections to chapter 51.08 RCW; adding a new section to chapter 51.16 RCW; adding a new section to chapter 51.28 RCW; adding a new section to chapter 51.32 RCW; adding new sections to chapter 51.44 RCW; adding a new section to chapter 51.52 RCW; adding a new section to chapter 51.98 RCW; adding a new chapter to Title 51 RCW; creating new sections; repealing RCW 51.04.110, 51.08.014, 51.08.175, 51.14.100, 51.14.110, 51.16.042, 51.16.050, 51.36.050, 51.41.005, 51.41.010, 51.41.020, 51.41.030, 51.41.040, 51.41.050, 51.41.060, 51.41.070, 51.41.080, 51.41.090, 51.41.100, 51.44.010, 51.44.020, 51.44.050, 51.44.060, 51.44.160, and 51.52.150; making appropriations; and providing an effective date.

HB 988 by Representatives Tanner, Miller, Belcher and Unsoeld

AN ACT Relating to child support; and amending RCW 26.09.130.

HB 989 by Representatives Tanner, Fisch and Isaacson

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

HB 990 by Representatives Hastings and Schmidt

AN ACT Relating to equipment requirements for combination vehicles; and adding a new section to chapter 46.37 RCW.

HB 991 by Representatives Hastings, Schmidt and Brooks

AN ACT Relating to the transportation of food processing plant by-products; and amending RCW 46.61.655.

HB 992 by Representatives Hastings, Dobbs, B. Williams, Tilly, L. Smith, Patrick, Schoon, Silver, Walker, Bond, May, Sanders, Van Luven and Isaacson

AN ACT Relating to the reduction of excise taxes; amending RCW 82.04.255, 82.04.290, and 82.02.030; reenacting and amending RCW 82.08.020; repealing RCW 82.04.2901; providing effective dates; and declaring an emergency.

HB 993 by Representatives Hastings and Brooks

AN ACT Relating to funeral directors and embalmers; and amending RCW 18.39.070.

HB 994 by Representatives Locke, Winsley, D. Nelson, Lux, Brekke and Long

AN ACT Relating to shoplifting; and amending RCW 4.24.230.

HB 995 by Representatives Jacobsen, Wineberry, Niemi and Miller

AN ACT Relating to research at the state institutions of higher education; adding a new section to chapter 28B.10 RCW; creating a new section; and making an appropriation.

HB 996 by Representatives Sayan, Smitherman, Zellinsky, Schmidt, R. King, Lux and Wang

AN ACT Relating to contracts for public works and improvements; and adding new sections to chapter 39.04 RCW.

HB 997 by Representatives Valle, Jacobsen and Long

AN ACT Relating to school levies; amending RCW 84.52.056; and providing a contingent effective date.

HB 998 by Representatives Scott, Jacobsen and Wang

AN ACT Relating to child care; adding a new chapter to Title 74 RCW; creating a new section; and making an appropriation.

HB 999 by Representatives Appelwick, Jacobsen and Cole

AN ACT Relating to educational clinics; adding new sections to chapter 28A.97 RCW; and creating a new section.

HB 1000 by Representatives Appelwick, Hastings, Prince, Zellinsky, G. Nelson, Bond, J. Williams, Sanders, Isaacson and May; by Department of Revenue request

AN ACT Relating to use taxation; and amending RCW 82.12.010.

HB 1001 by Representatives Appelwick and Hastings; by Department of Revenue request

AN ACT Relating to property taxation; and amending RCW 84.40.060, 84.38.020, 84.38.030, 84.38.050, 84.38.100, 84.38.130, 84.48.110, 84.48.120, and 84.56.290.

HB 1002 by Representatives Appelwick and Hastings; by Department of Revenue request

AN ACT Relating to business and occupation taxation of the business of making sales through direct seller's representatives; and amending RCW 82.04.423.

HB 1003 by Representative Appelwick; by Department of Revenue request

AN ACT Relating to excise tax administration; amending RCW 82.32.340, 82.32.290, and 82.48.090; and adding new sections to chapter 82.32 RCW.

HB 1004 by Representatives Appelwick and Hastings; by Department of Revenue request

AN ACT Relating to revenue and taxation; and amending RCW 11.28.120 and 43.10.067.

HB 1005 by Representative Appelwick; by Department of Revenue request

AN ACT Relating to excise taxation; and amending RCW 82.04.180 and 82.32.140.

HB 1006 by Representatives Appelwick and Hastings; by Department of Revenue request

AN ACT Relating to excise tax definitions; and amending RCW 82.04.190.

HB 1007 by Representatives Appelwick and Hastings; by Department of Revenue request

AN ACT Relating to taxation; and amending RCW 42.17.310 and 82.32.330.

HB 1008 by Representatives Appelwick and Hastings; by Department of Revenue request

AN ACT Relating to the tax on conveyances; adding a new section to chapter 82.20 RCW; repealing RCW 82.20.020, 82.20.030, and 82.20.040; providing an effective date; and declaring an emergency.

HB 1009 by Representatives Appelwick and Hastings; by Department of Revenue request

AN ACT Relating to administrative and definitional changes to the excise tax laws; and amending RCW 82.04.170 and 82.04.260.

HB 1010 by Representative Grimm

AN ACT Relating to the publication of the session laws of the state of Washington; making an appropriation; and declaring an emergency.

HB 1011 by Representatives Fisher, Tilly, Sanders and Wang

AN ACT Relating to precincts and precinct election officers; amending RCW 29.01-.120, 29.04.040, 29.04.055, 29.33.160, 29.45.010, 29.45.020, 29.45.030, 29.45.040, 29.45.050, 29.45.060, 29.45.070, 29.45.080, 29.45.090, 29.45.100, 29.45.120, and 29.62.090; repealing RCW 29.01.030, 29.01.150, 29.45.065, and 29.45.110; and providing an effective date.

HB 1012 by Representative Lux; by Department of Licensing request

AN ACT Relating to commodities and securities licensing; amending RCW 21.20.110; adding a new chapter to Title 21 RCW; prescribing penalties; making an appropriation; and providing an effective date.

HB 1013 by Representatives P. King, Addison and Prince; by Insurance Commissioner request

AN ACT Relating to insurance holding company systems; amending RCW 48.31A.020 and 48.31A.050; and declaring an emergency.

HB 1014 by Representatives D. Nelson and Isaacson; by Energy Facility Site Evaluation Council request

AN ACT Relating to the energy facility site evaluation council; amending RCW 80.50-.040; and reenacting and amending RCW 80.50.030.

HB 1015 by Representatives Lux and Sayan

AN ACT Relating to minimum wages; and adding a new section to chapter 49.46 RCW.

HB 1016 by Representatives Tilly, Wang, Schoon, G. Nelson, Ballard, Vander Stoep, Walker, Holland, Van Luven and May

AN ACT Relating to law enforcement roadblocks; and adding a new chapter to Title 46 RCW.

HB 1017 by Representatives Tilly, Locke, Patrick and Ballard

AN ACT Relating to alcoholic beverages; and adding a new section to chapter 66.28 RCW.

HB 1018 by Representative Tilly

AN ACT Relating to irrigation district voting rights; amending RCW 87.03.045 and 87.03.075; adding a new section to chapter 87.03 RCW; and repealing RCW 87.03.050, 87.03.055, 87.03.060, 87.03.065, and 87.03.070.

HB 1019 by Representatives Tilly, Locke, Patrick, Ballard, Long and Haugen

AN ACT Relating to alcoholic beverages; adding new sections to chapter 66.24 RCW; and prescribing penalties.

HB 1020 by Representative Tilly

AN ACT Relating to automotive safety restraints; amending RCW 46.61.687; and adding a new section to chapter 5.64 RCW.

HB 1021 by Representatives Vekich and Nealey; by Department of Agriculture request

AN ACT Relating to enforcement of pesticide control; adding a new section to chapter 15.58 RCW; adding a new section to chapter 17.21 RCW; and prescribing penalties.

HB 1022 by Representatives Silver, G. Nelson, Hastings, Thomas, Brough, J. Williams, Long, Isaacson, May and L. Smith; by Small Business Improvement Council request

AN ACT Relating to sales and use taxes; adding new sections to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; and creating a new section.

HB 1023 by Representatives Silver, G. Nelson, Hastings, Thomas, Brough, J. Williams, Long, Isaacson, May and L. Smith; by Small Business Improvement Council request

AN ACT Relating to the business and occupation tax; and amending RCW 82.04.280.

HB 1024 by Representatives Silver, G. Nelson, Hastings, Thomas, Brough, J. Williams, Sanders, Long, Isaacson, May and L. Smith; by Small Business Improvement Council request

AN ACT Relating to deferral of sales and use taxes; and adding a new chapter to Title 82 RCW.

HB 1025 by Representatives Silver, G. Nelson, Hastings, Brough, J. Williams, Sanders, Long, Isaacson, May and L. Smith; by Small Business Improvement Council request

AN ACT Relating to deferral of business and occupation taxes for new businesses; and adding new sections to chapter 82.04 RCW.

HB 1026 by Representatives Silver, G. Nelson, Hastings, Miller, Thomas, Patrick, Brough, Holland, J. Williams, Sanders, Long, Hankins, Isaacson, May, L. Smith and Tilly; by Small Business Improvement Council request

AN ACT Relating to the business and occupation tax; and amending RCW 82.04.300.

HB 1027 by Representatives Addison, Zellinsky, Sanders, Holland, P. King, Fuhrman, Dobbs, Bond, Van Luven and L. Smith

AN ACT Relating to verification of public assistance eligibility; adding a new chapter to Title 74 RCW; and prescribing penalties.

HB 1028 by Representatives J. King and Tanner

AN ACT Relating to superior court revenue; and amending RCW 10.82.070, 27.24.070, and 36.18.025.

HB 1029 by Representatives Dobbs, Padden, Hastings, Lewis, Fuhrman, J. Williams, Thomas, Sanders and Bond

AN ACT Relating to health care facilities; and amending RCW 70.38.025.

HB 1030 by Representatives Dobbs, Baugher, Ballard, Bristow, Thomas, Vekich, Lundquist, Hargrove, Patrick, Fuhrman, Schmidt and J. Williams

AN ACT Relating to the excise taxation of the production and sale of Christmas trees; and amending RCW 82.04.050 and 82.04.330.

HB 1031 by Representatives Cole, Hargrove, Fuhrman, Betrozoff, Bristow, Hastings, D. Nelson, B. Williams, Rust, Hankins, Chandler, Walker, Long, Wang, Padden, Thomas, Miller, Bond, C. Smith and Armstrong

AN ACT Relating to the lottery commission; and amending RCW 67.70.040.

HB 1032 by Representatives Hargrove, Dobbs, Basich, McMullen, Haugen, Fuhrman, B. Williams, Schoon, Isaacson, May, Thomas and L. Smith

AN ACT Relating to industrial incentive zones; adding a new chapter to Title 43 RCW; and providing an effective date.

HB 1033 by Representatives Hargrove, Basich, Dobbs and McMullen

AN ACT Relating to economic development; amending RCW 84.33.041 and 84.33.081; adding a new section to chapter 43.63A RCW; and declaring an emergency.

HB 1034 by Representatives Zellinsky, Schmidt, Sayan, Vekich, McMullen, Thomas, Allen, Ebersole, Smitherman, S. Wilson, Lundquist, R. King and Haugen

AN ACT Relating to community colleges; and amending RCW 28B.50.090.

HB 1035 by Representatives Zellinsky and Hine

AN ACT Relating to water pollution; and adding a new section to chapter 90.48 RCW.

HB 1036 by Representative Fisher

AN ACT Relating to school counseling and guidance development; adding a new section to chapter 28A.58 RCW; and creating a new section.

HB 1037 by Representative Prince

AN ACT Relating to motor vehicle accident reports; and amending RCW 46.20.171 and 46.52.030.

HB 1038 by Representatives Valle, Lewis, Betzoff, L. Smith, Lux, R. King, Unsoeld, Scott, J. King, Miller and Holland

AN ACT Relating to basic education allocation for vocational education; amending RCW 28A.41.140; and declaring an emergency.

HB 1039 by Representatives Schoon, Holland and Brough

AN ACT Relating to school district levies; reenacting and amending RCW 84.52.0531; and declaring an emergency.

HB 1040 by Representatives Schoon, Ebersole, Rayburn, Holland, Brough, Taylor, Miller, Valle, Betzoff, Chandler, Fuhrman and Long

AN ACT Relating to school districts; and amending RCW 28A.58.135.

HB 1041 by Representative Grimm; by Department of Revenue request

AN ACT Relating to revenue and excise taxation; amending RCW 82.04.440; and declaring an emergency.

HB 1042 by Representatives Schoon, Brough, Fuhrman and Long

AN ACT Relating to teacher certification; amending RCW 28A.04.120 and 28A.70.005; and adding new sections to chapter 28A.70 RCW.

HB 1043 by Representatives Schoon, B. Williams, Lundquist, Doty and Armstrong

AN ACT Relating to trade and economic development; amending RCW 43.210.050; creating new sections; making an appropriation; and providing an expiration date.

HB 1044 by Representatives Rayburn, Doty, Baugher, Hastings, Day, Dellwo, Isaacson, Chandler, Brooks and Tilly

AN ACT Relating to plats within irrigation districts; and amending RCW 58.17.310.

HB 1045 by Representatives Appelwick, Barrett, Ebersole, Lewis, Baugher, Fuhrman, Hankins, Dobbs, Madsen, Leonard, Schmidt and Bond

AN ACT Relating to horse racing; amending RCW 67.16.010, 67.16.020, 67.16.050, 67.16.060, 67.16.090, 67.16.100, 67.16.105, 67.16.130, 67.16.170, 67.16.175, 67.16.180, and 67.16.190; and adding new sections to chapter 67.16 RCW.

HB 1046 by Representatives Lux, Ebersole, Patrick, Hankins, Lewis, Thomas, McMullen, Sutherland, Day, Leonard, Holland, P. King and Addison

AN ACT Relating to health care; and amending RCW 48.44.020 and 48.46.060.

HB 1047 by Representatives Silver, Scott and Long

AN ACT Relating to the authority of counties to engage in economic development; and adding a new section to chapter 36.01 RCW.

HB 1048 by Representatives Barrett and Silver

AN ACT Relating to minority and women-owned business enterprises; amending RCW 39.19.010, 39.19.020, 39.19.030, 39.19.070, and 39.19.080; and adding a new section to chapter 39.19 RCW.

HB 1049 by Representatives Locke, Allen, Jacobsen, Haugen, Grimm and Appelwick

AN ACT Relating to the powers of a metropolitan municipal corporation to collect connection charges; and amending RCW 35.58.200.

HB 1050 by Representatives Ballard, Bristow, Barrett and Haugen

AN ACT Relating to industrial insurance; amending RCW 43.22.030, 48.32.020, 51.04.020, 51.04.030, 51.04.040, 51.04.070, 51.04.085, 51.04.110, 51.08.013, 41.06.070, 51.08.015, 51.12.045, 51.12.050, 51.12.070, 51.12.110, 51.12.120, 51.12.140, 51.12.150, 51.14.010, 51.14.050, 51.14.100, 51.14.110, 51.16.035, 51.16.042, 51.16.070, 51.16.120, 51.16.140, 51.16.150, 51.24.030, 51.24.050, 51.24.060, 51.24.070, 51.24.080, 51.24.090, 51.28.010, 51.28.020, 51.28.025, 51.28.030, 51.28.055, 51.28.070, 51.32.010, 51.32.015, 51.32.030, 51.32.040, 51.32.050, 51.32.055, 51.32.060, 51.32.072, 51.32.073, 51.32.090, 51.32.095, 51.32.110, 51.32.130, 51.32.190, 51.32.200, 51.32.220, 51.32.230, 51.32.240, 51.32.250, 51.36.010, 51.36.020, 51.36.040, 51.36.050, 51.36.060, 51.36.070,



51.36.080, 51.41.030, 51.41.040, 51.41.050, 51.41.060, 51.41.090, 51.41.100, 51.44.010, 51.44.040, 51.44.070, 51.48.010, 51.48.015, 51.48.017, 51.48.020, 51.48.040, 51.48.050, 51.48.060, 51.48.090, 51.48.110, 51.52.030, 51.52.050, 51.52.060, 51.52.070, 51.52.095, 51.52.110, 51.52.120, 51.52.130, and 51.52.150; adding a new section to chapter 48.14 RCW; adding a new section to chapter 48.19 RCW; adding new sections to chapter 51.08 RCW; adding new sections to chapter 51.16 RCW; adding a new section to chapter 51.48 RCW; adding a new chapter to Title 51 RCW; creating new sections; repealing RCW 51.04.090, 51.08.175, 51.12.100, 51.14.070, 51.16.060, 51.16.090, 51.16.100, 51.16.110, 51.16.130, 51.16.155, 51.16.160, 51.16.170, 51.16.180, 51.16.190, 51.32.210, 51.44.020, 51.44.030, 51.44.050, 51.44.060, 51.44.080, 51.44.090, 51.44.100, 51.44.110, 51.44.140, 51.44.150, and 51.44.160; providing an effective date; and declaring an emergency.

HB 1051 by Representatives Leonard, Sutherland, Sanders, Lux, Haugen, Isaacson, Lundquist, Cole, Thomas, Hankins, K. Wilson, J. Williams, Belcher, D. Nelson, Basich and van Dyke; by Department of Game request

AN ACT Relating to game; creating a new section; and making an appropriation.

HB 1052 by Representatives Appelwick, S. Wilson, Schmidt, Fisher, Locke, Lundquist, Brekke, May, Allen and Isaacson

AN ACT Relating to the expiration of tax exemptions for ride-sharing vehicles; repealing section 5, chapter 166, Laws of 1980 (uncodified); and declaring an emergency.

HB 1053 by Representatives Haugen, Doty, Hine, Barrett and West

AN ACT Relating to electricians and electrical installations; and amending RCW 19.28.070.

HB 1054 by Representatives Addison, Zellinsky, Sanders, Fuhrman, Dobbs, Bond, Isaacson and L. Smith

AN ACT Relating to the community work and training program; and amending RCW 74.04.477.

HB 1055 by Representatives Peery, Ebersole, Wang, Todd, Holland, Long and Isaacson

AN ACT Relating to in-service training; adding a new section to chapter 28A.41 RCW; and making appropriations.

HB 1056 by Representatives Peery, Ebersole, Appelwick, Wang, Todd, Jacobsen, G. Nelson, Holland, J. Williams, Allen and May

AN ACT Relating to school-based management; adding a new section to chapter 28A.03 RCW; adding new sections to chapter 28A.58 RCW; making an appropriation; and providing an expiration date.

HB 1057 by Representatives D. Nelson, Ballard, Braddock, Patrick, Niemi and Lux

AN ACT Relating to vocational education; and amending RCW 72.62.020 and 72.62.050.

HB 1058 by Representatives Cole, Brooks and Ballard

AN ACT Relating to the recording of emergency communications; and amending RCW 9.73.030 and 9.73.090.

HB 1059 by Representatives Wineberry, Niemi, Walk, Jacobsen, O'Brien, Haugen, Prince, Locke, Valle, Leonard, Brekke, Addison and Barnes

AN ACT Relating to public transit construction projects; adding new sections to chapter 35.58 RCW; and creating a new section.

HB 1060 by Representatives Appelwick, Hastings, Sommers and Tilly

AN ACT Relating to the taxation of food fish and shellfish; amending RCW 82.27.020, 82.27.030, and 82.27.040; reenacting and amending RCW 82.27.010; and creating a new section.

HB 1061 by Representatives Rayburn, Nealey, Day, Lewis, Dellwo, Doty, Isaacson, Baugher, Tanner, Haugen, Ebersole, Armstrong and Wang

AN ACT Relating to international trade assistance; amending RCW 43.210.010, 43.210.020, 43.210.030, 43.210.040, and 43.210.050; amending section 7, chapter 20, Laws of 1983 1st ex. sess. (uncodified); creating new sections; and declaring an emergency.

**HB 1062** by Representatives Rayburn, Valle, L. Smith, Baugher, Kremen, Tanner, Fisch, K. Wilson, Ebersole, Armstrong, Todd and Wang

AN ACT Relating to the creation of a small business ombudsman; adding new sections to chapter 43.31 RCW; providing an expiration date; and making an appropriation.

**HB 1063** by Representatives Rayburn, C. Smith, McMullen, Vekich, West, Sayan, Hastings, Ballard, Lewis, Isaacson, Baugher, Kremen, Fuhrman, Nealey, J. Williams, Haugen and Armstrong

AN ACT Relating to agricultural marketing; amending section 1, chapter 57, Laws of 1984 (uncodified); amending section 2, chapter 57, Laws of 1984 (uncodified); amending section 3, chapter 57, Laws of 1984 (uncodified); amending section 6, chapter 57, Laws of 1984 (uncodified); amending section 7, chapter 57, Laws of 1984 (uncodified); adding new sections to chapter 28B.30 RCW; repealing section 4, chapter 57, Laws of 1984 (uncodified); repealing section 5, chapter 57, Laws of 1984 (uncodified); repealing section 8, chapter 57, Laws of 1984 (uncodified); providing an effective date; and declaring an emergency.

**HB 1064** by Representatives Rayburn, Long, Holland, Valle, Ebersole, Cole, Todd, L. Smith, Chandler, Walker, Hastings, Addison, Vander Stoep and K. Wilson

AN ACT Relating to teacher preparation; amending RCW 28A.04.120 and 28A.70.005; and adding new sections to chapter 28A.70 RCW.

**HB 1065** by Representatives Rayburn, Long, Cole, McMullen, Betzoff, K. Wilson, Haugen and Todd

AN ACT Relating to in-service training; and making an appropriation.

**HB 1066** by Representatives Rayburn, Bristow, McMullen, Day, Vekich, Hargrove, Lundquist, Wineberry, C. Smith, Fisch, Wang, Baugher, Valle, Ballard, G. Nelson, Sanders, Isaacson, May and Basich

AN ACT Relating to excise tax deferral; adding a new chapter to Title 82 RCW; repealing RCW 82.04.435; providing an effective date; and declaring an emergency.

**HB 1067** by Representatives Smitherman, Wang, Nutley, Hine and Unsoeld

AN ACT Relating to port districts; and adding a new section to chapter 53.04 RCW.

**HB 1068** by Representatives Smitherman, Zellinsky, Wang, Schmidt, J. King, Vekich, G. Nelson, Thomas, May and Hine

AN ACT Relating to shellfish; adding new sections to chapter 90.58 RCW; and making appropriations.

**HB 1069** by Representative Smitherman

AN ACT Relating to forest practices; adding a new section to chapter 76.09 RCW; and repealing RCW 76.09.210, 76.09.220, and 76.09.230.

**HB 1070** by Representatives Day, Padden, Fisch, Dellwo, Sanders and Isaacson

AN ACT Relating to business development; adding a new chapter to Title 82 RCW; and providing an expiration date.

**HB 1071** by Representatives Addison, P. King, Valle, Scott, Sanders, Isaacson, Long, Kremen and Winsley

AN ACT Relating to missing children; adding a new section to chapter 28A.03 RCW; adding new sections to chapter 43.43 RCW; and making appropriations.

**HB 1072** by Representatives Addison, West, Long and Winsley

AN ACT Relating to higher education fees; and amending RCW 28B.15.380.

**HB 1073** by Representatives R. King, Patrick, Sayan, Cole, Walker, Wang, Fisch, Sanders and Winsley

AN ACT Relating to minimum wage; and adding a new section to chapter 49.46 RCW.

- HB 1074 by Representatives Peery, West, Belcher, Wang, Bristow, Leonard, Dellwo, Haugen, Basich and Unsoeld; by Governor request
- AN ACT Relating to state employees' insurance; amending RCW 41.05.025; and declaring an emergency.
- HB 1075 by Representatives Valle, Lewis, Leonard, Tilly and Unsoeld; by Governor request
- AN ACT Relating to health education; adding a new chapter to Title 70 RCW; and creating a new section.
- HB 1076 by Representatives Niemi, Holland, J. King, Leonard, Cole, Dellwo and Haugen; by Governor request
- AN ACT Relating to state employees' insurance and health care; and amending RCW 41.05.025 and 48.46.180.
- HB 1077 by Representatives Niemi, Lewis, Holland, J. King, Leonard, Cole, R. King, Winsley and Wineberry; by Governor request
- AN ACT Relating to health care cost control; and adding a new chapter to Title 70 RCW.
- HB 1078 by Representatives P. King, Betzoff, Smitherman, Wang, Leonard, Vekich, Cole, Jacobsen, Basich, Appelwick, R. King, Tilly, Winsley, Armstrong and Todd; by Governor request
- AN ACT Relating to early childhood education and assistance; creating new sections; making appropriations; providing effective dates; providing expiration dates; and declaring an emergency.
- HB 1079 by Representatives Peery, Holland, Hargrove, Bristow, Vekich, Haugen, Basich, B. Williams, Schoon, Fisch, Ballard, Betzoff, Sanders, Isaacson, Long, Doty, May, Thomas, L. Smith, Kremen, O'Brien, Wang and Tilly; by Governor request
- AN ACT Relating to sales and use tax deferral; adding a new chapter to Title 82 RCW; providing an expiration date; providing an effective date; and declaring an emergency.
- HB 1080 by Representatives J. King, G. Nelson, Cole, Haugen, Basich, Silver, B. Williams, Taylor, Lundquist and Ballard; by Governor request
- AN ACT Relating to exemptions from state civil service; and amending RCW 41.06.070.
- HB 1081 by Representatives Grimm, G. Nelson, Wang, Cole, Dellwo, Miller, Hine and K. Wilson; by Governor request
- AN ACT Relating to the financing of water pollution control facilities and systems; and adding a new chapter to Title 43 RCW.
- HB 1082 by Representatives Bristow, Wang, Patrick, McMullen, R. King, Sayan, K. Wilson and Haugen; by Joint Select Committee on Workers' Compensation request
- AN ACT Relating to retrospective and experience rating for accident and medical aid fund premiums under industrial insurance; amending RCW 51.16.035 and 74.46.180; and adding a new section to chapter 51.44 RCW.
- HB 1083 by Representatives R. King, Wang, Patrick, McMullen, Bristow, Fisch and Gallagher; by Joint Select Committee on Workers' Compensation request
- AN ACT Relating to the activities of the workers' compensation advisory committee; and adding a new section to chapter 51.04 RCW.
- HB 1084 by Representatives R. King, Wang, Patrick, McMullen, Sayan, Basich, Fisch, Gallagher, Ballard, Winsley, Hine, Ebersole, Todd and Dellwo; by Joint Select Committee on Workers' Compensation
- AN ACT Relating to vocational rehabilitation; amending RCW 51.41.030, 51.41.040, 51.41.060, 51.41.070, and 51.32.250; and adding new sections to chapter 51.41 RCW.

HB 1085 by Representatives Rayburn, Patrick, Baugher, Wang, McMullen, R. King, Bristow, Sayan, Basich, Peery, Fisch, Leonard, Gallagher, Ballard, Cole, Unsoeld, Winsley, K. Wilson, Haugen, Ebersole, Wineberry, Todd, Dellwo and Armstrong; by Joint Select Committee on Workers' Compensation request

AN ACT Relating to prompt actions by the department of labor and industries; amending RCW 51.36.080; and adding a new section to chapter 51.28 RCW.

HB 1086 by Representatives Fisch, R. King, Patrick, Wang, McMullen, Sayan and Gallagher; by Joint Select Committee on Workers' Compensation request

AN ACT Relating to benefits provided to injured workers; amending RCW 51.08.100, 51.08.140, 51.32.050, 51.32.060, 51.32.080, and 51.32.220; and adding a new section to chapter 51.32 RCW.

HB 1087 by Representatives Wang, Patrick, Sayan, R. King and McMullen; by Joint Select Committee on Workers' Compensation request

AN ACT Relating to administrative procedures of the board of industrial insurance appeals; amending RCW 51.52.100 and 51.52.095; and adding a new section to chapter 51.52 RCW.

HB 1088 by Representatives Wang, Patrick, McMullen, R. King and Sayan; by Joint Select Committee on Workers' Compensation request

AN ACT Relating to appellate jurisdiction in industrial insurance tax assessment actions; and amending RCW 51.16.160 and 51.52.050.

HB 1089 by Representatives McMullen, R. King, Patrick, Wang and Sayan; by Joint Select Committee on Workers' Compensation request

AN ACT Relating to industrial insurance penalties; amending RCW 51.28.025, 51.48.010, 51.48.017, 51.48.030, 51.48.040, 51.48.060, and 51.48.080; and adding new sections to chapter 51.48 RCW.

HB 1090 by Representatives Wang, R. King, Patrick, McMullen and Sayan; by Joint Select Committee on Workers' Compensation request

AN ACT Relating to workers' compensation benefits, offsets and insuring workers' compensation benefits through self-insurance; amending RCW 51.08.100, 51.08.140, 51.32.050, 51.32.060, 51.32.080, 51.32.220, 51.14.010, 51.14.020, 51.14.070, 51.14.150, 51.14.160, 51.32.055, and 51.44.150; and adding a new section to chapter 51.32 RCW.

HB 1091 by Representatives Sayan, Addison, O'Brien, Sanders, D. Nelson, Lewis, R. King, Jacobsen, Todd and Lux

AN ACT Relating to participation and communication in the centennial observance by organizations and citizens; adding new sections to chapter 27.60 RCW; and providing an expiration date.

HB 1092 by Representatives Betrozoff and Patrick

AN ACT Relating to hours of labor; and adding a new section to chapter 49.12 RCW.

HB 1093 by Representative Betrozoff

AN ACT Relating to levies for school purposes; amending RCW 84.52.053; adding a new section to chapter 84.52 RCW; repealing RCW 84.52.0531; and providing a contingent effective date.

HB 1094 by Representatives L. Smith, Dellwo, Brooks, Schmidt, Rayburn and Bond

AN ACT Relating to identicards; and amending RCW 46.20.117.

HB 1095 by Representatives L. Smith, Padden, Brooks, B. Williams, Schoon, Addison, Taylor, Ballard, Vander Stoep, Walker, Betrozoff, Sanders and May

AN ACT Relating to temporary disabled parking permits; adding a new section to chapter 46.16 RCW; and providing an expiration date.

HB 1096 by Representatives L. Smith, Schoon, Hastings, Schmidt, Bond, Ballard and Isaacson

AN ACT Relating to surface mining; and amending RCW 78.44.110.

HB 1097 by Representatives L. Smith, Bond, Dobbs, J. Williams, Sanders and Isaacson

AN ACT Relating to self defense; and amending RCW 9.01.200.

HB 1098 by Representatives L. Smith, Locke, Padden, Rayburn, Brooks, Brough, Schmidt, Allen and Bond

AN ACT Relating to arrest without warrant; and amending RCW 10.31.100.

HB 1099 by Representatives Betrozoff, Vander Stoep, Long, Walk, Chandler, Miller and Sanders

AN ACT Relating to excise taxation of returnable containers; adding a new section to chapter 82.04 RCW; and providing an effective date.

HB 1100 by Representatives Betrozoff, Ebersole, Walker and Holland

AN ACT Relating to basic education; and amending RCW 28A.41.140.

HB 1101 by Representatives Long, Haugen, Allen, Hine, Holland, Silver and Hankins

AN ACT Relating to cities and towns; and adding a new section to chapter 36.93 RCW.

HB 1102 by Representatives Long, D. Nelson, Sutherland and Miller

AN ACT Relating to charges for utility services; adding a new section to chapter 35.92 RCW; adding a new section to chapter 54.16 RCW; and adding a new section to chapter 80.04 RCW.

HB 1103 by Representatives Long, Holland and Ebersole

AN ACT Relating to the formula for the distribution of basic education funds; amending RCW 28A.41.140; and declaring an emergency.

HB 1104 by Representatives Long, Holland, Ebersole, Rayburn and May

AN ACT Relating to early childhood education; amending RCW 28A.41.130; adding a new section to chapter 28A.58 RCW; and making an appropriation.

HB 1105 by Representatives Long, Rayburn, Holland, Cole, Ebersole, Rust, Walker, Fuhrman, Jacobsen, Miller, Scott, Isaacson, May and Todd.

AN ACT Relating to reduction of the student per classroom teacher ratio in grades kindergarten through three; creating a new section; and making an appropriation.

HB 1106 by Representatives Long, Rayburn, Holland, Ebersole, Betrozoff, Walk, Walker, Isaacson, May and Todd

AN ACT Relating to the student to teacher ratio; and adding a new section to chapter 28A.58 RCW.

HB 1107 by Representatives Long, Armstrong, Walk, Betrozoff, Brough, Tilly, Holland, Tanner, Silver, Schmidt, Wineberry, Taylor, Patrick, Cole, Walker, Sanders and May

AN ACT Relating to prerequisites for the issuance of vehicle licenses; and amending RCW 46.12.020.

HB 1108 by Representatives Todd, R. King, Grimm, Fisher, D. Nelson and Lux

AN ACT Relating to revenue and taxation; amending RCW 82.03.130, 82.03.140, and 82.03.180; adding a new title to the Revised Code of Washington to be numbered Title 82A RCW; adding a new section to chapter 82.04 RCW; prescribing penalties; and providing an effective date.

HB 1109 by Representatives Todd, Madsen and Ebersole

AN ACT Relating to horses; and creating a new section.

HB 1110 by Representatives Todd and Lux

AN ACT Relating to electricians and electrical installations; and amending RCW 19.28.530.

HB 1111 by Representatives Todd and Armstrong

AN ACT Relating to mobile home landlord-tenant relations; amending RCW 46.44-.170; and adding new sections to chapter 59.20 RCW.

HB 1112 by Representatives Todd and Unsoeld

AN ACT Relating to uniform building codes; and amending RCW 19.27.030.

HB 1113 by Representatives Todd, Long, Ebersole, Wang, Valle, Rayburn, Peery and Holland

AN ACT Relating to teacher compensation and evaluation; amending RCW 28A.67-.065; creating new sections; making an appropriation; and providing an expiration date.

HB 1114 by Representatives Todd, Allen, Long, D. Nelson and Unsoeld

AN ACT Relating to energy-related building standards; amending RCW 19.27.030, 19.27.070, and 19.27.075; adding new sections to chapter 19.27 RCW; repealing RCW 19.27.200, 19.27.210, 19.27.220, 19.27.230, 19.27.240, 19.27.250, 19.27.260, 19.27.270, 19.27.280, 19.27.290, 19.27.300, 19.27.310, and 19.27.905; providing effective dates; and declaring an emergency.

HB 1115 by Representative P. King

AN ACT Relating to felons; and adding a new section to chapter 70.48 RCW.

HB 1116 by Representatives Day, Padden, Dellwo, Silver, Barrett, Taylor, Haugen, Isaacson, J. King, Bond, West and Fuhrman

AN ACT Relating to the protection of subterranean water; and creating a new section.

HB 1117 by Representatives Todd and Unsoeld

AN ACT Relating to the preservation of universal telecommunications service and the protection of basic voice grade telecommunications service; and adding new sections to chapter 80.04 RCW.

HB 1118 by Representatives P. King, R. King and Addison

AN ACT Relating to education about the prevention of child abuse; and amending RCW 28A.02.201 and 28A.05.010.

HB 1119 by Representative Bond

AN ACT Relating to nursing home auditing and reimbursement; amending RCW 74.46.640; and adding a new section to chapter 74.46 RCW.

HB 1120 by Representatives Silver, Bond, Padden, Addison and West

AN ACT Relating to public records; and amending RCW 42.17.310.

HB 1121 by Representatives Padden, Hargrove, Fuhrman, Dobbs, Bristow, Addison, Bond, West, Patrick, Holland, J. Williams and Isaacson

AN ACT Relating to prohibiting causes of action for wrongful life and wrongful birth; prohibiting a defense, an award of damages, or a penalty based on the failure or refusal to prevent a live birth; and adding new sections to chapter 4.24 RCW.

HB 1122 by Representatives Padden, Taylor and Bond

AN ACT Relating to open burning of seed grass; and amending RCW 70.94.656.

HB 1123 by Representatives Bond, Fuhrman, J. Williams, Van Luven, Dobbs, Isaacson, van Dyke, Patrick, B. Williams, Sanders, Barnes, May, L. Smith and Hastings

AN ACT Relating to the English language; and adding a new section to chapter 1.20 RCW.

HB 1124 by Representatives Bond, van Dyke, Padden, J. Williams, Barnes and Isaacson

AN ACT Relating to attorneys' fees in civil cases; amending RCW 4.84.250; creating a new section; and repealing RCW 4.84.080.

HB 1125 by Representatives Bond, Padden and Addison

AN ACT Relating to recall of public officials; and adding a new chapter to Title 42 RCW.

HB 1126 by Representatives Bond, Fuhrman and J. Williams

AN ACT Relating to noncomparable worth; amending RCW 28B.16.020, 28B.16.100, 41.06.020, and 41.06.150; and repealing RCW 28B.16.116 and 41.06.155.

HB 1127 by Representatives Locke, Sommers, Long, Niemi, Holland and Taylor

AN ACT Relating to the business and occupation tax on wholesalers; and amending RCW 82.04.270.

HB 1128 by Representative B. Williams

AN ACT Relating to the state public pension commission; amending RCW 41.52.010, 41.52.020, and 41.52.040; and adding a new section to chapter 41.52 RCW.

HB 1129 by Representatives O'Brien, G. Nelson and May

AN ACT Relating to business improvement areas; and amending RCW 35.87A.010, 35.87A.030, 35.87A.050, 35.87A.060, 35.87A.080, 35.87A.090, 35.87A.100, and 35.87A.140.

HB 1130 by Representative G. Nelson, Walk, J. Williams and Fisher

AN ACT Relating to public transit; amending RCW 36.57.050; adding a new section to chapter 36.57 RCW; and adding new sections to chapter 36.57A RCW.

HB 1131 by Representatives West, Dellwo, Day, Lewis, Barrett, Miller, Chandler, Braddock, Tanner, Silver, Crane and Bond

AN ACT Relating to members of the legislature; adding a new section to chapter 44.04 RCW; and creating a new section.

HB 1132 by Representatives West, Taylor and Barrett

AN ACT Relating to highway projects; and creating a new section.

HB 1133 by Representatives West, B. Williams, Crane, Silver, Smitherman, Patrick, Zellinsky, Bond, P. King, Sanders, Padden, Barrett, Thomas, G. Nelson, Hastings, May and C. Smith

AN ACT Relating to gubernatorial appointees; and amending RCW 43.06.092 and 43.06.094.

HB 1134 by Representatives West, G. Nelson, Lewis, Isaacson and May

AN ACT Relating to the department of social and health services; and adding a new section to chapter 43.20A RCW.

HB 1135 by Representatives Zellinsky, Kremen, Haugen, Hargrove, Smitherman, Bristow, Crane, Valle, Baugher, Peery, Scott, Braddock, Day, Todd and Addison

AN ACT Relating to public assistance; adding a new chapter to Title 74 RCW; and declaring an emergency.

HB 1136 by Representatives Valle Hargrove, Fisch, R. King, Ebersole, Kremen, Scott, Bristow, Crane, Baugher, Rayburn and Todd

AN ACT Relating to juveniles; and adding new sections to chapter 13.40 RCW.

HB 1137 by Representatives Scott, Bristow, Peery, Jacobsen, Crane, Padden, Day, Lux and Todd

AN ACT Relating to dispute resolution; creating new sections; and declaring an emergency.

HB 1138 by Representatives Rayburn, Crane, Bristow, Zellinsky, Tilly, Fisch, K. Wilson, Ebersole, McMullen, Baugher, Tanner, Scott, Kremen, Day, Todd, Brough, Holland, Unsoeld and Hargrove

AN ACT Relating to the insanity defense; and adding a new chapter to Title 10 RCW.

HB 1139 by Representatives C. Smith, J. Williams, B. Williams and Bond

AN ACT Relating to motor freight carriers; amending RCW 81.80.040, 81.80.060, 81.80.070, 81.80.130, 81.80.150, 81.80.190, 81.80.211, 81.80.260, 81.80.355, 81.80.371, 81.80.400, 81.80.410, 81.04.010, 81.04.110, 81.04.130, 81.04.150, 81.04.250, and 81.04.450; adding new sections to chapter 81.80 RCW; repealing RCW 81.80.020, 81.80.140, and 81.80.175; and prescribing penalties.

HB 1140 by Representatives Fisch, Hargrove, Bristow, B. Williams, Jacobsen, Locke, Baugher, Lux, Walk, Sayan, Scott, K. Wilson, Zellinsky, Rayburn, Kremen and Smitherman

AN ACT Relating to state agency redesign and reorganization; creating new sections; and declaring an emergency.

HB 1141 by Representatives Ebersole, Betrozoff, Cole, Sanders, Long and Wang

AN ACT Relating to excess school levies; reenacting and amending RCW 84.52.0531; and creating a new section.

HB 1142 by Representatives Kremen, Bristow, Jacobsen, Peery, Lux and Todd

AN ACT Relating to unfair business practices; and adding a new section to chapter 19.86 RCW.

HB 1143 by Cole, Betrozoff and Holland

AN ACT Relating to public school in-service training; and amending RCW 28A.71.210.

HB 1144 by Representatives Cole, Holland and Long

AN ACT Relating to basic education allocations; amending RCW 28A.41.140; and declaring an emergency.

HB 1145 by Representative Cole

AN ACT Relating to employees' insurance and health care; and amending RCW 41.05.050.

HB 1146 by Representatives R. King, S. Wilson, Ballard, Barrett, Smitherman, Bond, Sutherland, Holland, Nutley, Gallagher, West, Fuhrman, P. King, Miller, Hankins, Hastings, Tilly, Ebersole, Isaacson, Padden, G. Nelson and May

AN ACT Relating to fireworks; amending RCW 70.77.126, 70.77.131, 70.77.136, 70.77.177, 70.77.250, 70.77.265, 70.77.270, 70.77.280, 70.77.315, 70.77.355, 70.77.435, 70.77.450, 70.77.525, and 35.22.280; adding new sections to chapter 70.77 RCW; prescribing penalties; and declaring an emergency.

HB 1147 by Representatives Barnes, Isaacson, Hastings, Sanders, B. Williams and G. Nelson

AN ACT Relating to child abuse and dependency proceedings; amending RCW 13.04.030, 13.04.040, 13.04.093, 13.04.450, 13.32A.040, 13.32A.050, 13.32A.060, 13.32A.070, 13.32A.090, 13.32A.130, 13.34.030, 13.34.055, 13.34.070, 13.34.090, 13.34.100, 13.34.110, 13.34.130, 26.12.170, 26.44.010, 26.44.020, 26.44.030, 26.44.040, 26.44.050, 26.44.053, 26.44.056, 26.44.060, 26.44.070, 26.44.080, 74.13.031, and 74.15.030; reenacting and amending RCW 13.34.060; recodifying RCW 26.44.010, 26.44.020, 26.44.030, 26.44.040, 26.44.050, 26.44.053, 26.44.056, 26.44.060, 26.44.070, 26.44.080, and 26.44.900; repealing RCW 13.32A.100, 13.32A.120, 13.32A.140, 13.32A.150, 13.32A.160, 13.32A.170, 13.32A.175, 13.32A.180, 13.32A.190, 13.32A.200, and 13.34.050; and prescribing penalties.

HB 1148 by Representatives Belcher, Locke, Armstrong, Valle, Fisher, Crane, Wang, R. King, Tanner, Allen, Miller, Long, Brekke, Niemi, Lewis, Cole, Leonard, Wineberry and Van Luven

AN ACT Relating to strip searches and body cavity searches; amending RCW 10.79.110; and adding new sections to chapter 10.79 RCW.

HB 1149 by Representatives Wineberry, Allen, Wang, Brekke, Cole and Lux

AN ACT Relating to the death penalty; and amending RCW 10.95.030.

HB 1150 by Representatives Leonard, Allen, Belcher, Armstrong, Fisch, Fisher, P. King, R. King, Miller, Brekke, Cole, Wineberry and Lux; by Secretary of State request

AN ACT Relating to the restoration of civil rights; amending RCW 29.07.080, 9.95.260, and 9.96.050; and adding a new section to chapter 9.96 RCW.

HB 1151 by Representatives R. King, Wineberry, Brekke, Belcher, Fisher, Allen and Cole

AN ACT Relating to lie detectors; amending RCW 49.44.120 and 49.44.130; and prescribing penalties.



HB 1152 by Representatives West, Belcher, Allen, P. King, Brække, Cole, Wineberry, Patrick, Lux, Miller, Armstrong, Padden, G. Nelson, Van Luven and Scott

AN ACT Relating to the death penalty; and amending RCW 7.68.020 and 7.68.070.

HB 1153 by Representatives Fisher, Madsen, Barrett, Barnes, Miller, Vander Stoep, Betzoff, Sanders, Hargrove, Wineberry and Brough; by Secretary of State request

AN ACT Relating to accessibility of polling places and voter registration facilities; amending RCW 29.57.010, 29.57.030, and 29.48.007; adding a new section to chapter 29.07 RCW; adding new sections to chapter 29.57 RCW; repealing RCW 29.57.020 and 29.57.060; declaring an emergency; and providing effective dates.

HB 1154 by Representatives Hargrove, Wang, Patrick, McMullen and Sayan; by Joint Select Committee on Workers' Compensation request

AN ACT Relating to self-insurance; and amending RCW 51.14.010, 51.14.020, 51.14.070, 51.14.150, 51.14.160, 51.32.055, and 51.44.150.

HB 1155 by Representatives Gallagher and Ebersole

AN ACT Relating to veterans' preference; and amending RCW 41.04.010.

HB 1156 by Representatives Gallagher, Ebersole and R. King

AN ACT Relating to veterans; and amending RCW 41.06.150 and 28B.16.100.

HB 1157 by Representatives Niemi, Silver, Locke and Holland

AN ACT Relating to establishing a technology-based incubator facility; and creating new sections.

HB 1158 by Representatives Ebersole, Valle, Schoon, Holland, Long and May

AN ACT Relating to remediation; and amending RCW 28A.41.404 and 28A.41.406.

HB 1159 by Representatives Fuhrman, Dobbs, B. Williams and L. Smith

AN ACT Relating to property taxation; and amending RCW 84.36.020.

HB 1160 by Representatives Addison, Sanders, May and Kremen

AN ACT Relating to state government; creating a new chapter in Title 1 RCW; adding a new section to chapter 28B.19 RCW; adding a new section to chapter 34.04 RCW; adding a new section to chapter 44.04 RCW; creating a new section; and providing an effective date.

HB 1161 by Representative Leonard

AN ACT Relating to juveniles; and amending RCW 13.40.025, 13.40.160, and 13.50.050.

HB 1162 by Representatives Belcher, Allen, R. King, Unsoeld, Lux and Fisch

AN ACT Relating to state employees' union security provisions; and amending RCW 41.06.150 and 28B.16.100.

HB 1163 by Representatives Sayan, Allen, R. King, Unsoeld, Lux and Fisch

AN ACT Relating to public employees; amending RCW 41.06.150, 41.06.155, 41.06.160, 41.06.167, 41.06.170, 41.56.020, 41.56.030, 28B.16.100, 28B.16.116, and 28B.16.120; adding a new section to chapter 41.58 RCW; adding a new chapter to Title 43 RCW; creating new sections; and providing an effective date.

HB 1164 by Representatives Addison, P. King, Sanders, Holland and Hastings

AN ACT Relating to interest on unpaid public contracts; and amending RCW 39.76.010.

HB 1165 by Representatives Brooks, Ballard, Doty, B. Williams, L. Smith, Silver, S. Wilson, Dobbs, Walker and May

AN ACT Relating to immunity from implied warranties and civil liability for blood transfusions; and amending RCW 70.54.120.

HB 1166 by Representatives Brooks, Ballard, Doty, Lewis, May, S. Wilson, Dobbs and Walker

AN ACT Relating to the licensing and discipline of physicians and physicians' assistants; amending RCW 18.71.010, 18.71.015, 18.71.020, 18.71.025, 18.71.050, 18.71.051, 18.71.230, 18.71A.070, 18.72.100, 18.72.135, 18.72.155, 18.72.245, 18.72.250, 18.72.270, 18.72.380, 18.72.400, 43.24.020, 43.24.072, and 43.24.086; reenacting and amending RCW 18.71.040 and 18.71.080; and adding new sections to chapter 18.71 RCW.

HB 1167 by Representatives Wineberry, Grimm and Niemi

AN ACT Relating to the classification and valuation of multiple-unit buildings devoted primarily to low-income housing at current use value; adding a new chapter to Title 84 RCW; and providing a contingent effective date.

HB 1168 by Representative Lux

AN ACT Relating to nursing home insurance; adding a new chapter to Title 48 RCW; and creating a new section.

HB 1169 by Representatives Lux, Winsley, J. King, Wineberry, D. Nelson, Sayan, Todd and Niemi

AN ACT Relating to financial institutions; amending RCW 30.04.210; adding new sections to chapter 30.04 RCW; creating a new chapter in Title 30 RCW; creating a new chapter in Title 32 RCW; creating a new chapter in Title 33 RCW; creating a new section; and providing an effective date.

HB 1170 by Representatives Lux, Wang, Rust, Ebersole, Valle, Cole, Scott, D. Nelson, Unsoeld, Leonard, Sayan, Wineberry, Hine, Fisher and Todd

AN ACT Relating to hazardous substances; and adding new sections to chapter 49.70 RCW.

HB 1171 by Representative Lux

AN ACT Relating to cashing of government-issued checks or warrants; amending RCW 43.08.135; and adding a new section to chapter 66.16 RCW.

HB 1172 by Representatives Lux and Wang

AN ACT Relating to insurance; adding a new section to chapter 48.30 RCW; and providing an effective date.

HB 1173 by Representatives Lux, Leonard, Ebersole, Cole, Jacobsen and Scott

AN ACT Relating to the nonprofit meal program for the elderly; and amending RCW 28A.58.722.

HB 1174 by Representatives Lux and D. Nelson

AN ACT Relating to health care costs; adding a new section to chapter 70.54 RCW; and providing an effective date.

HB 1175 by Representative Lux

AN ACT Relating to dangerous materials; adding new sections to chapter 35.21 RCW; and adding new sections to chapter 36.32 RCW.

HB 1176 by Representative Lux

AN ACT Relating to real estate fund accounts; and amending RCW 18.85.310.

HB 1177 by Representative Lux

AN ACT Relating to hazardous waste; adding a new section to chapter 70.105 RCW; and creating a new section.

HB 1178 by Representative Lux

AN ACT Relating to voting; and amending RCW 29.10.123.

HB 1179 by Representatives J. Williams, May, Sanders, Schmidt, Bond, Dobbs, van Dyke, G. Nelson and Isaacson

AN ACT Relating to delinquent excise taxes; and adding a new section to chapter 82.32 RCW.

HB 1180 by Representatives J. Williams, Schoon, May, Ebersole, Holland, Betrozoff, Long and Walker

AN ACT Relating to business and occupation taxation; adding a new section to chapter 82.04 RCW; providing an effective date; and declaring an emergency.

HB 1181 by Representatives Locke, Scott, Niemi, Schmidt and G. Nelson; by Attorney General request

AN ACT Relating to criminal profiteering; amending RCW 9A.82.010, 9A.82.060, 9A.82.100, 9A.82.120, 9A.82.130, 9A.82.140, 9A.82.150, 9A.82.160, and 9A.82.170; adding a new section to chapter 9A.82 RCW; prescribing penalties; making an appropriation; declaring an emergency; and providing an effective date.

HB 1182 by Representatives J. King, S. Wilson, Haugen, Fisher, Gallagher, O'Brien, K. Wilson, McMullen, Hankins, Betzoff, Schoon, Jacobsen, Miller, Isaacson and Tilly; by Washington Traffic Safety Commission request

AN ACT Relating to motor vehicle safety restraints; amending RCW 46.61.687; creating new sections; and prescribing penalties.

HB 1183 by Representatives Wang, Chandler, Sayan and Wineberry; by Department of Employment Security request

AN ACT Relating to services for the unemployed and underemployed; amending RCW 50.04.070, 50.04.072, 50.16.010, and 50.29.025; adding a new chapter to Title 50 RCW; adding a new section to chapter 50.24 RCW; creating a new section; making an appropriation; providing an effective date; and declaring an emergency.

HB 1184 by Representatives Ebersole and Betzoff; by Superintendent of Public Instruction, State Board of Education request

AN ACT Relating to high school graduation requirements; and amending RCW 28A.05.060.

HB 1185 by Representatives Ebersole, Betzoff, Schoon, Holland, Long and Wang; by Superintendent of Public Instruction request

AN ACT Relating to remediation; amending RCW 28A.41.400, 28A.41.402, 28A.41.404, and 28A.41.406; and repealing RCW 28A.41.412 and 28A.41.414.

HB 1186 by Representatives Ebersole, Betzoff, Schoon, Fuhrman, May and Long; by Superintendent of Public Instruction request

AN ACT Relating to student transportation allocations; and amending RCW 28A.41.520 and 28A.41.525.

HB 1187 by Representatives Addison, Holland and Long

AN ACT Relating to state government; adding a new section to chapter 41.04 RCW; and creating a new section.

HB 1188 by Representatives Bristow, Belcher, Sayan, Ballard, Rayburn, Unsoeld, Doty, Haugen and Silver

AN ACT Relating to community and rural improvement; adding new sections to chapter 28B.30 RCW; making an appropriation; providing an effective date; and declaring an emergency.

HB 1189 by Representatives Bristow, Fuhrman, Brooks, Rayburn, Todd, Ballard, Baugher, Isaacson and Tilly

AN ACT Relating to noxious weed control funding; amending RCW 46.16.060 and 82.44.020; adding new sections to chapter 17.10 RCW; adding new sections to chapter 43.131 RCW; and providing an expiration date.

HB 1190 by Representatives Peery, L. Smith, J. King and Tanner

AN ACT Relating to the joint center for education; and amending RCW 28B.30.510 and 28B.30.520.

HB 1191 by Representatives Brough and Schoon

AN ACT Relating to incorporation of cities and towns; and adding new sections to chapter 35.21 RCW.

HB 1192 by Representative Brough

AN ACT Relating to convention and trade facilities; and amending RCW 67.40.090.

HB 1193 by Representatives Brough, Grimm, Holland and Patrick

AN ACT Relating to school funding; adding a new section to chapter 28A.41 RCW; and declaring an emergency.

HB 1194 by Representatives D. Nelson and Lux

AN ACT Relating to electric companies; amending RCW 80.04.250, 80.04.320, 80.28-.060, 80.50.010, 80.50.040, and 80.50.090; adding new sections to chapter 80.04 RCW; and repealing RCW 80.50.075.

HB 1195 by Representatives Addison, P. King and Holland

AN ACT Relating to public employment; and adding a new section to chapter 41.04 RCW.

HB 1196 by Representatives Doty, Nealey, Chandler, Hastings, C. Smith and Tilly

AN ACT Relating to state general obligation bonds for agricultural water supply facilities; and adding a new chapter to Title 43 RCW.

HB 1197 by Representatives Grimm and Sayan

AN ACT Relating to retirement of pension unfunded liabilities; amending RCW 82.12-.020; reenacting and amending RCW 82.08.020; adding a new section to chapter 43.79 RCW; and providing an effective date.

HB 1198 by Representatives Schmidt, Zellinsky, S. Wilson, Haugen, Thomas, Lundquist, Smitherman, L. Smith, McMullen, J. Williams, Hastings, Sayan, Schoon and Brough

AN ACT Relating to state ferry system revenues; and amending RCW 47.60.150.

HB 1199 by Representatives Brekke, Valle, Tanner and Wineberry

AN ACT Relating to establishment of a pilot project for single mothers receiving public assistance; adding new sections to chapter 74.12 RCW; creating a new section; making an appropriation; and declaring an emergency.

HB 1200 by Representatives Brekke, Locke, Bristow, Lux and Sayan

AN ACT Relating to community health centers assistance and managed health care development program; adding a new chapter to Title 74 RCW; making appropriations; providing an effective date; and declaring an emergency.

HB 1201 by Representatives L. Smith, and Thomas

AN ACT Relating to marriages; and amending RCW 26.04.050.

HB 1202 by Representative Armstrong

AN ACT Relating to telecommunications.

HB 1203 by Representative Armstrong

AN ACT Relating to extending the joint select committee on telecommunications.

HB 1204 by Representative Walk

AN ACT Relating to transportation appropriations.

HB 1205 by Representative Walk

AN ACT Relating to transportation revenue and taxation.

HB 1206 by Representative Walk

AN ACT Relating to motor vehicle excise taxes.

HB 1207 by Representative McMullen

AN ACT Relating to employment and training.

HB 1208 by Representative McMullen

AN ACT Relating to the high technology coordinating board.

HB 1209 by Representative McMullen

AN ACT Relating to technology transfer.

HB 1210 by Representative McMullen

AN ACT Relating to international trade.

HB 1211 by Representative Belcher

AN ACT Relating to comparable worth.

- HB 1212 by Representative Belcher  
AN ACT Relating to state government.
- HB 1213 by Representative Fisher  
AN ACT Relating to campaign practices.
- HB 1214 by Representative Fisher  
AN ACT Relating to conflicts of interest.
- HB 1215 by Representative Vekich  
AN ACT Relating to water rights.
- HB 1216 by Representative Vekich  
AN ACT Relating to agriculture.
- HB 1217 by Representative Vekich  
AN ACT Relating to agriculture.
- HB 1218 by Representatives Walk and Tilly  
AN ACT Relating to transportation.
- HB 1219 by Representatives Walk and Schmidt  
AN ACT Relating to transportation.
- HB 1220 by Representative Walk  
AN ACT Relating to motor vehicles.
- HB 1221 by Representative Walk and Schmidt  
AN ACT Relating to motor vehicles.
- HB 1222 by Representative Walk and Schmidt  
AN ACT Relating to marine transportation.
- HB 1223 by Representative Walk  
AN ACT Relating to public transportation.
- HB 1224 by Representative Walk and Schmidt  
AN ACT Relating to motor vehicle fund.
- HB 1225 by Representative Lux  
AN ACT Relating to financial institutions.
- HB 1226 by Representative Lux  
AN ACT Relating to financial institutions.
- HB 1227 by Representative Lux  
AN ACT Relating to insurance.
- HB 1228 by Representative Lux  
AN ACT Relating to insurance.
- HB 1229 by Representative McMullen  
AN ACT Relating to economic development.
- HB 1230 by Representative McMullen  
AN ACT Relating to economic development.
- HB 1231 by Representative McMullen and Smitherman  
AN ACT Relating to the creation of an international trade fellows program.
- HB 1232 by Representatives Haugen and May  
AN ACT Relating to water and sewer districts.
- HB 1233 by Representative Vekich  
AN ACT Relating to pest control.

- HB 1234 by Representative Vekich  
AN ACT Relating to agricultural marketing.
- HB 1235 by Representative Wang  
AN ACT Relating to implementation of the recommendations of the Joint Select Committee on Workers' Compensation.
- HB 1236 by Representative Wang  
AN ACT Relating to implementation of the recommendations of the Joint Select Committee on Workers' Compensation.
- HB 1237 by Representative D. Nelson  
AN ACT Relating to telecommunications.
- HB 1238 by Representative D. Nelson  
AN ACT Relating to utilities.
- HB 1239 by Representative D. Nelson  
AN ACT Relating to energy.
- HB 1240 by Representative D. Nelson  
AN ACT Relating to energy conservation.
- HB 1241 by Representative D. Nelson  
AN ACT Relating to radioactive waste.
- HB 1242 by Representative D. Nelson  
AN ACT Relating to joint operating agencies.
- HB 1243 by Representative Lux  
AN ACT Relating to insurance.
- HB 1244 by Representative Lux  
AN ACT Relating to securities.
- HB 1245 by Representative Grimm  
AN ACT Relating to revenue and taxation.
- HB 1246 by Representative Grimm  
AN ACT Relating to appropriations.
- HB 1247 by Representative Grimm  
AN ACT Relating to property taxation.
- HB 1248 by Representative Wang  
AN ACT Relating to public works.
- HB 1249 by Representative Wang  
AN ACT Relating to Washington state lottery.
- HB 1250 by Representative Wang  
AN ACT Relating to employment.
- HB 1251 by Representative Wang  
AN ACT Relating to labor relations.
- HB 1252 by Representative Wang  
AN ACT Relating to public employees collective bargaining.
- HB 1253 by Representative Wang  
AN ACT Relating to professional licensing.
- HB 1254 by Representative Wang  
AN ACT Relating to vocational rehabilitation.
- HB 1255 by Representative Grimm

AN ACT Relating to compensation contracts.

HB 1256 by Representative Grimm

AN ACT Relating to increases in revenue.

HB 1257 by Representative Grimm

AN ACT Relating to decreases in revenue.

HB 1258 by Representative Grimm

AN ACT Relating to eliminating differential tax rates.

HB 1259 by Representative Grimm

AN ACT Relating to the budget.

HB 1260 by Representative Grimm

AN ACT Relating to the budget.

HB 1261 by Representative Grimm

AN ACT Relating to the budget.

HB 1262 by Representative Grimm

AN ACT Relating to pensions.

HB 1263 by Representative Grimm

AN ACT Relating to property taxes for community colleges.

HB 1264 by Representative Grimm

AN ACT Relating to excise taxation.

HB 1265 by Representatives Grimm and Tilly

AN ACT Relating to the budget.

HB 1266 by Representative Sommers

AN ACT Relating to higher education.

HB 1267 by Representative Sommers

AN ACT Relating to higher education.

HB 1268 by Representative Sommers

AN ACT Relating to higher education.

HB 1269 by Representative Haugen

AN ACT Relating to local government.

HB 1270 by Representative Haugen

AN ACT Relating to local government.

HB 1271 by Representative Haugen

AN ACT Relating to government borrowing.

HB 1272 by Representative Haugen

AN ACT Relating to special districts.

HB 1273 by Representative Haugen

AN ACT Relating to counties.

HB 1274 by Representative Haugen

AN ACT Relating to cities and towns.

HB 1275 by Representatives D. Nelson and Sommers

AN ACT Relating to higher education faculty.

HB 1276 by Representative McMullen

AN ACT Relating to international trade and development council.

HB 1277 by Representative Grimm

AN ACT Relating to appropriations.

HB 1278 by Representatives Wineberry, Niemi, D. Nelson, Allen, Armstrong, Belcher, Lux, Leonard, Locke, Grimm, Unsoeld, McMullen, Jacobsen, Appelwick, Fisher, Ebersole and O'Brien

AN ACT Relating to state investments, sales, and purchases.

HB 1279 by Representative Long

AN ACT Relating to five member public utility commissions.

HB 1280 by Representative J. King

AN ACT Relating to economic development.

HB 1281 by Representative J. King

AN ACT Relating to economic development.

HB 1282 by Representative Ebersole

AN ACT Relating to teachers.

HB 1283 by Representatives Nutley, Belcher, L. Smith, Peery, B. Williams, Tanner, J. King, Sutherland, Haugen and Vekich

AN ACT Relating to relationships with certain other states.

HB 1284 by Representative J. King

AN ACT Relating to international trade.

HB 1285 by Representative R. King

AN ACT Relating to public utility district elections.

HB 1286 by Representative J. King

AN ACT Relating to Pacific state maritime and marine affairs.

HB 1287 by Representative J. King

AN ACT Relating to pilotage.

HB 1288 by Representative Padden

AN ACT Relating to the definition of residency for voter registration purposes.

HB 1289 by Representative Brekke

AN ACT Relating to social and health services.

HB 1290 by Representative Brekke

AN ACT Relating to corrections.

HB 1291 by Representatives Wang and Grimm

AN ACT Relating to an agreement to settle Puyallup Indian claims.

HB 1292 by Representatives Grimm and Wang

AN ACT Relating to an agreement to settle Puyallup Indian claims.

HB 1293 by Representative Fisher

AN ACT Relating to elections.

HB 1294 by Representative Fisher

AN ACT Relating to elections.

HB 1295 by Representative Fisher

AN ACT Relating to public disclosure.

HB 1296 by Representative Brekke

AN ACT Relating to children's services.

HB 1297 by Representative Brekke

AN ACT Relating to professional licensure.

HB 1298 by Representative Brekke



- AN ACT Relating to naturopaths.  
HB 1299 by Representative Brekke  
AN ACT Relating to department of licensing.
- HB 1300 by Representative Brekke  
AN ACT Relating to health.
- HB 1301 by Representatives D. Nelson, Patrick, Leonard and Holland  
AN ACT Relating to natural resources.
- HB 1302 by Representative Smitherman  
AN ACT Relating to tourism development.
- HB 1303 by Representative Ebersole  
AN ACT Relating to education.
- HB 1304 by Representative Dellwo  
AN ACT Relating to radioactive waste.
- HB 1305 by Representative Dellwo  
AN ACT Relating to homesteads; and repealing RCW 6.12.105.
- HB 1306 by Representative Niemi  
AN ACT Relating to medical assistance.
- HB 1307 by Representative Niemi  
AN ACT Relating to workers compensation.
- HB 1308 by Representative Niemi  
AN ACT Relating to state employee insurance.
- HB 1309 by Representative Niemi  
AN ACT Relating to school personnel health benefits.
- HB 1310 by Representative Sanders  
AN ACT Relating to funding of mandated steelhead management.
- HB 1311 by Representative Ebersole  
AN ACT Relating to educational excellence.
- HB 1312 by Representative Ebersole  
AN ACT Relating to students.
- HB 1313 by Representative Ebersole  
AN ACT Relating to teacher preparation and certification.
- HB 1314 by Representative Hine  
AN ACT Relating to Puget Sound.
- HB 1315 by Representative Unsoeld  
AN ACT Relating to Puget Sound.
- HB 1316 by Representative Hine  
AN ACT Relating to water quality.
- HB 1317 by Representative Hine  
AN ACT Relating to water quality.
- HB 1318 by Representative Armstrong  
AN ACT Relating to racketeering.
- HB 1319 by Representative Armstrong  
AN ACT Relating to driving while intoxicated.
- HB 1320 by Representative Armstrong

AN ACT Relating to deferred prosecution.

HB 1321 by Representatives Kremen and Hine

AN ACT Relating to wastewater.

HB 1322 by Representative Armstrong

AN ACT Relating to criminal law.

HB 1323 by Representative Armstrong

AN ACT Relating to controlled substances.

HB 1324 by Representative P. King

AN ACT Relating to criminal law.

HB 1325 by Representative Sayan

AN ACT Relating to state employees personnel services reorganization.

#### MOTIONS

On motion of Mr. J. King, House Bill No. 900 through House Bill No. 1201 were held on first reading for referral on Monday, February 11, 1985.

On motion of Mr. J. King, House Bill No. 1202 through House Bill No. 1325 were referred to Committee on Rules. (Title only bills)

HJM 13 by Representatives West, Hastings, Padden and Bond

Requesting the consent of Congress to establish a new state in eastern Washington.

Referred to Committee on Constitution, Elections & Ethics.

HJM 14 by Representatives Fisch, McMullen, Vekich, Hargrove, Basich, Sayan, Baugher, Kremen, J. King, Smitherman, Gallagher, Zellinsky, Ebersole, Bristow, Haugen, Madsen, Rayburn, K. Wilson, Tanner and Dellwo

Requesting restrictions on importation of Canadian forest products.

Referred to Committee on Natural Resources.

HJM 15 by Representatives Lundquist, Haugen, S. Wilson, Zellinsky, Thomas, Brough, Isaacson, Holland, J. Williams, Bond and Ballard

Requesting steelhead trout be made exclusively a game fish.

Referred to Committee on Natural Resources.

HJM 16 by Representatives Niemi, Armstrong, Valle, Brøkke, Betrozoff, Rust, Unsoeld, Vekich, Wineberry, Miller, J. Williams and D. Nelson; by 1989 Washington Centennial Commission request

Requesting the federal government transfer ownership of the South Lake Union Naval Reserve Base.

Referred to Committee on Local Government.

HJM 17 by Representatives K. Wilson, Lundquist, D. Nelson, Thomas, R. King, Hankins, Haugen, Sutherland and Isaacson.

Requesting federal funds for treaty fish management.

Referred to Committee on Natural Resources.

HJM 18 by Representatives Bristow and Fuhrman

Petitioning the Bonneville Power Administration to make public announcements before lowering the level of Roosevelt Lake.

Referred to Committee on Energy & Utilities.

- HJM 19 by Representatives Sanders, Tanner and Isaacson  
Requesting the federal government to increase the national speed limit to 65 m.p.h.  
Referred to Committee on Transportation.
- HJM 20 by Representative J. King  
Requesting the United States customs service to retain one headquarters for all west coast ports.  
Referred to Committee on Trade & Economic Development.
- HJM 21 by Representative J. King  
Petitioning Congress to undertake a study on vessel air emissions.  
Referred to Committee on Environmental Affairs.
- HJM 22 by Representatives Lux, Winsley, P. King and Addison  
Requesting Congress to establish a uniform system to regulate financial institutions.  
Referred to Committee on Financial Institutions & Insurance.
- HJM 23 by Representatives Belcher, D. Nelson, Unsoeld, Jacobsen, Locke, Lux, Wang, Todd, Niemi and Dellwo  
Urging Congress to adopt the Foley Amendment to limit introduction of United States armed forces.  
Referred to Committee on Rules.
- HJM 24 by Representatives Belcher, Allen, Unsoeld, D. Nelson, Brooks, Wang, Cole, Todd, Lewis, Lux, Niemi, Locke, Jacobsen, Miller and Dellwo  
Petitioning Congress to halt deportation of Central American refugees.  
Referred to Committee on Rules.
- HJM 25 by Representatives Addison, Haugen, Lundquist, Sanders, Holland, Sutherland, Todd, Fuhrman, Dobbs, Brough, Isaacson, J. Williams and Thomas  
Requesting steelhead be designated a national game fish.  
Referred to Committee on Natural Resources.
- HJM 26 by Representatives D. Nelson, Belcher, Lux, Cole, Allen, Leonard, Valle, Brekke, P. King, Unsoeld, Jacobsen, Rust, Locke, Niemi, Wang, Wineberry, Armstrong, Ebersole, Todd, Fisher, Tanner and O'Brien  
Urging Congress to negotiate a verifiable test ban treaty and to stop nuclear weapons testing.  
Referred to Committee on Rules.
- HJM 27 by Representatives Miller, Hastings, Tilly, Locke and Brough  
Requesting federal legislation to prohibit transportation of fireworks destined for states that prohibit fireworks.  
Referred to Committee on Commerce & Labor.
- HJM 28 by Representatives Hargrove, Barnes, Patrick, Rayburn, Hastings, Bristow, Tilly, Isaacson, Holland, J. Williams, Bond and Ballard  
Urging Congress to call a constitutional convention to propose a balanced budget amendment.  
Referred to Committee on Ways & Means.
- HJR 22 by Representatives Cole, R. King, Ebersole, Scott, Betrozoff, Walker, Taylor, Armstrong, Jacobsen, Basich, Unsoeld, P. King, Leonard,

Long, Appelwick, Vekich, Rust, Todd, D. Nelson, Belcher, Brough, Holland and Wang

Removing 40% validation requirement for excess levy elections for public schools.

Referred to Committee on Education.

HJR 23 by Representative Tanner

Authorizing ad valorem taxing districts for public improvements.

Referred to Committee on Local Government.

HJR 24 by Representatives Rust, Haugen, Appelwick, B. Williams, Hastings and J. Williams

Make the superintendent of public instruction subject to appointment by the governor.

Referred to Committee on Education.

HJR 25 by Representatives Fisher, Fisch, Leonard and Hargrove

Providing for the alteration of counties.

Referred to Committee on Constitution, Elections & Ethics.

HJR 26 by Representatives Tilly, Dobbs, Sommers, May, Van Luven, Bristow, Thomas, Smitherman, Brooks, Tanner, Allen, Walker, Doty, Fuhrman, Barrett, Padden, C. Smith, Addison, Zellinsky, Silver, Ballard, S. Wilson, G. Nelson, B. Williams, Isaacson, Holland, J. Williams and Bond

Establishing a constitutional limit on appropriations of state funds.

Referred to Committee on Ways & Means.

HJR 27 by Representatives Barnes, B. Williams, Sanders, Fuhrman, Sommers, Isaacson, Nealey, Patrick, Miller and Thomas

Requiring full funding of state-managed retirement systems.

Referred to Committee on Ways & Means.

HJR 28 by Representative Barnes

Revising the vote and turnout requirements for bond elections for capital purposes.

Referred to Committee on Local Government.

HJR 29 by Representatives Appelwick and Sommers

Requiring each new tax exemption to be enacted by a separate bill.

Referred to Committee on Ways & Means.

HJR 30 by Representatives Grimm, Tilly, Sommers, B. Williams, Unsoeld, Schoon, Isaacson, May and Walker

Providing for state funding of pension liabilities.

Referred to Committee on Ways & Means.

HJR 31 by Representatives Rust, Taylor, Cole, Ebersole, Leonard, Miller, Brough and Dellwo

Permitting a majority vote to ratify excess school levies.

Referred to Committee on Education.

HJR 32 by Representatives Patrick and Isaacson

Establishing a limitation on state expenditures.

Referred to Committee on Ways & Means.

- HJR 33 by Representatives Patrick and Isaacson  
Establishing constitutional requirements for enactment of budget and tax legislation.  
Referred to Committee on Ways & Means.
- HJR 34 by Representative Grimm  
Authorizing a corporate income tax.  
Referred to Committee on Ways & Means.
- HJR 35 by Representative Braddock  
Authorizing a personal income tax.  
Referred to Committee on Ways & Means.
- HJR 36 by Representative D. Nelson  
Authorizing the legislature to regulate the practice of law in the state.  
Referred to Committee on Judiciary.
- HJR 37 by Representatives Nealey, Allen and Brough  
Authorizing a limited income tax.  
Referred to Committee on Ways & Means.
- HJR 38 by Representatives Valle, Jacobsen and Brough  
Modifying the vote requirements for the approval of excess school district levies.  
Referred to Committee on Education.
- HJR 39 by Representative Betrozoff  
Permitting a tax to be levied for the common schools for up to a four-year period.  
Referred to Committee on Ways & Means.
- HJR 40 by Representatives Todd, R. King, Grimm, Fisher, D. Nelson and Lux  
Authorizing a corporate income tax.  
Referred to Committee on Ways & Means.
- HJR 41 by Representatives Valle, Day, Kremen, Ebersole, Vekich, Jacobsen, Lux and Todd  
Amending state Constitution and disclosing right to privacy.  
Referred to Committee on Constitution, Elections & Ethics.
- HJR 42 by Representatives Baugher, Nealey, Peery and Vekich  
Permitting agricultural assessments for agricultural development or trade promotion as a public use.  
Referred to Committee on Agriculture.
- HJR 43 by Representatives Dobbs, B. Williams, Ballard, Schmidt, Sanders, Hastings, Hargrove, Fuhrman, Thomas, J. Williams, Schoon, B. Williams, Holland, Bond and May  
Limiting state employment.  
Referred to Committee on State Government.
- HJR 44 by Representatives Schoon, Barnes, Betrozoff, Fisch, Crane, Thomas, Miller, Brough, Isaacson, J. Williams and May  
Extending terms of the state house of representatives to four years.  
Referred to Committee on Constitution, Elections & Ethics.

HJR 45 by Representative Addison

Prohibiting sales and use taxes on food and prescription drugs.

Referred to Committee on Ways & Means.

HJR 46 by Representatives Wineberry and Grimm

Amending the Constitution to permit current use valuation of low-income housing.

Referred to Committee on Ways & Means.

HJR 47 by Representative Lux

Establishing a unicameral legislature.

Referred to Committee on State Government.

HJR 48 by Representatives Nealey, Allen, Hastings, Isaacson, Holland, J. Williams and Brough

Limiting state expenditures.

Referred to Committee on Ways & Means.

HJR 49 by Representative Ehlers

Relating to elected officials' salaries.

Referred to Committee on State Government.

HCR 6 by Representatives Armstrong, Padden, Schmidt, West, Schoon, Locke, Scott, Lux, Rayburn and May

Establishing the state commission on the bicentennial of the United States Constitution.

Referred to Committee on State Government.

HCR 7 by Representatives Jacobsen, Armstrong, Long, Unsoeld, D. Nelson, Nealey and Todd

Extending the Joint Select Committee on Telecommunications.

Referred to Committee on Energy & Utilities.

HCR 8 by Representative J. King

Requesting assistance to shipbuilding and ship repair industries.

Referred to Committee on Trade & Economic Development.

HCR 9 by Representatives Wang, R. King, Patrick, Sayan, Betrozoff, McMullen and Fuhrman; by Joint Select Committee on Workers' Compensation request

Establishing the joint select committee on industrial insurance.

Referred to Committee on Commerce & Labor.

HCR 10 by Representatives Lux, Ballard, B. Williams, Lewis, G. Nelson and Isaacson

Resolving to make conference committees open to the public.

Referred to Committee on Constitution, Elections & Ethics.

#### MOTION

On motion of Mr. Barrett, the memorials and resolutions listed on today's calendar under the fourth order of business were considered first reading and referred to the committees designated.

MOTION

On motion of Mr. Appelwick, the House adjourned until 10:30 a.m., Monday, February 11, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk

## TWENTY-NINTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Monday, February 11, 1985

The House was called to order at 10:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives P. King and Zellinsky. Representative Zellinsky was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard: Scouts from the Tumwater Council Boy Scouts of America, Mickey Gilchrist, Chief Seattle Council and Todd Schmidt, Inland Empire Council. Prayer was offered by Reverend John Wingfield, Minister of the Unity Church of Olympia.

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

## SPEAKER'S PRIVILEGE

The Speaker: "We are honored today to have with us representatives from the Tumwater area Council of the Boy Scouts of America. These young men are part of the twelve councils of the State of Washington that are meeting in Olympia for the Annual Report to the Governor Program.

"At this time I would like to introduce Horatio Sprague Taveau V who represents the Mount Rainier Council from Tacoma. Accompanying Horatio are Shane Hazard, Evergreen Area Council; Steven D. Princehouse, North Central Washington and Todd Kean, Mt. Baker Area Council.

"Horatio Sprague Taveau V is the son of Horatio Sprague Taveau IV and Maria C. Taveau. He joined cub scouts; earned the Year of the Light Award; earned his Eagle Scout award in 1984. He is a C/LT. Colonel, Junior ROTC, Senior at Washington High School, Tacoma. He carries a 3.07 grade point average, fifty-first in his class."

Horatio Sprague Taveau V briefly addressed the House.

## MOTION

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

## THIRD READING

SUBSTITUTE HOUSE BILL NO. 46, by Committee on Judiciary (originally sponsored by Representatives Armstrong and Kremen)

Clarifying the intent of the consumer protection act.

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

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

## POINT OF INQUIRY

Ms. Niemi yielded to question by Mr. Appelwick.

Mr. Appelwick: "Representative Niemi, you amended House Bill 46 to delete reference to the Black case. Is it your belief and intent that House Bill 46 changes previous intent of the Consumer Protection Act?"

Ms. Niemi: "No. Previous legislative intent is not changed by Substitute House Bill No. 46. Because of the Supreme Court decision in Black it is necessary to clarify past intent and make present and future intent clear in regard to per se violation of trade practices. Black makes it possible for the court to improperly construe legislative intent in future cases. Substitute House Bill 46 corrects this, but does not change substance or intent of the law."



## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 46, and the bill passed the House by the following vote: Yeas, 96; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 96.

Absent: Representative King P - 1.

Excused: Representative Zellinsky - 1.

Substitute House Bill No. 46, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 155, by Committee on Judiciary (originally sponsored by Representative P. King)

Changing requirements relating to notaries.

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

Mr. Armstrong spoke in favor of passage of the bill, and Mr. Padden spoke against it.

## POINT OF INQUIRY

Mr. Armstrong yielded to question by Mr. Sanders.

Mr. Sanders: "Representative Armstrong, I notice that the bill transfers the authority for the fee from the legislature, from statute, to the Department of Licensing. Apparently the notary fee is established in statute by us. Why are we transferring that responsibility to the Department of Licensing?"

Mr. Armstrong: "It's a very small fee. It's a fee that has to be changed and is in changing circumstances. I think it's two dollars or three dollars or something like that. Most people don't charge it at all and it seems unreasonable for the notaries to have to come back to the legislature every time they want to change due to the inflationary impact."

Mr. Armstrong spoke again in favor of the bill, and Mr. Padden again opposed it.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 155, and the bill passed the House by the following vote: Yeas, 87; nays, 9; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 87.

Voting nay: Representatives Barnes, Bond, Fuhrman, Isaacson, Lewis, Padden, Patrick, Sanders, Williams J - 9.

Absent: Representative King P - 1.

Excused: Representative Zellinsky - 1.

Substitute House 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.

## STATEMENT FOR THE JOURNAL

I wish the record to show that I voted "No" on Substitute House Bill No. 155.  
DARWIN NEALEY, 9th District.

HOUSE BILL NO. 175, by Representatives Belcher, Hankins, Unsoeld, Allen, Baugher, Todd, Dellwo, Niemi, Smitherman, Peery, Locke, Leonard, K. Wilson, Prince, Lewis, Sayan, P. King, B. Williams, Schoon and Addison; by Department of Personnel request

Extending the career executive program.

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

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

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 175, and the bill passed the House by the following vote: Yeas, 96; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 96.

Absent: Representative King P - 1.

Excused: Representative Zellinsky - 1.

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.

HOUSE BILL NO. 73, by Representatives Kremen, Thomas and Lundquist; by Department of Transportation request

Permitting designees of certain agency directors to serve on the commission on equipment.

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

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

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 73, and the bill passed the House by the following vote: Yeas, 96; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 96.

Absent: Representative King P - 1.

Excused: Representative Zellinsky - 1.

House 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.

HOUSE BILL NO. 77, by Representatives Walk, S. Wilson, Schmidt, Valle, Fisch and Haugen; by Department of Transportation request

Removing the performance requirements for high-speed passenger ferries from the 1977 bond authorization.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 77, and the bill passed the House by the following vote: Yeas, 95; nays, 1; absent, 1; excused, 1.

Voting yea: Representatives Addison, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 95.

Voting nay: Representative Allen - 1.

Absent: Representative King P - 1.

Excused: Representative Zellinsky - 1.

House 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.

HOUSE BILL NO. 80, by Representatives Walk, Schmidt, Valle, Betzoff and J. Williams; by Department of Transportation request

Updating state highway routes.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 80, and the bill passed the House by the following vote: Yeas, 96; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 96.

Absent: Representative King P - 1.

Excused: Representative Zellinsky - 1.

House Bill No. 80, having received the 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. 109, by Representatives Brekke, Lewis, B. Williams and Winsley; by Department of Social and Health Services request

Revising population limitations in juvenile residential facilities.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 109, and the bill passed the House by the following vote: Yeas, 96; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 96.

Absent: Representative King P - 1.

Excused: Representative Zellinsky - 1.

House 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.

ENGROSSED HOUSE BILL NO. 181, by Representatives Brekke, Tilly, Sommers, G. Nelson, Vander Stoep, Grimm, B. Williams, P. King, Bond, Long, Sayan, R. King, Isaacson, Patrick, May, Miller, Brough and Silver; by Legislative Budget Committee request

Extending state coordination of sexual assault programs.

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

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

#### MOTION

On motion of Mr. J. King, further consideration of Engrossed House Bill No. 181 was deferred and the bill was ordered placed on the third reading calendar following House Concurrent Resolution No. 3.

HOUSE CONCURRENT RESOLUTION NO. 3, by Representatives Sommers, Tilly, Wang, B. Williams, Grimm, Braddock, Patrick, Silver, Winsley, P. King, Schoon and Long

Continuing the joint interim committee on public retirement.

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

Representatives Sommers and Tilly spoke in favor of passage of the resolution.

#### ROLL CALL

The Clerk called the roll on adoption of House Concurrent Resolution No. 3, and the resolution was adopted by the following vote: Yeas, 96; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 96.

Absent: Representative King P - 1.

Excused: Representative Zellinsky - 1.

House Concurrent Resolution No. 3, having received the constitutional majority, was declared adopted.

#### MOTION

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

#### REPORTS OF STANDING COMMITTEES

February 7, 1985

HB 69

Prime Sponsor, Representative Rust: Requiring solid waste facilities to establish trust funds. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Unsoeld, Vice Chair; Allen, Barnes, Brough, Isaacson, Jacobsen, Lewis, Lux, May, Nutley and Valle.

Absent: Representatives Bond, Brekke, R. King and Lux.

Passed to Committee on Rules for second reading.

February 6, 1985

HB 132 Prime Sponsor, Representative Tanner: Repealing the laws authorizing a county tax on nonresidents of the state employed in the county. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Hine, Locke, Long, Madsen, G. Nelson, Niemi, Rust, Sanders, Silver, L. Smith, Smitherman, Sommers, Tilly and Vander Stoep.

Absent: Representatives Hastings, J. King and Taylor.

Passed to Committee on Rules for second reading.

February 5, 1985

HB 141 Prime Sponsor, Representative Ebersole: Providing for a tenth grade achievement test. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ebersole, Chair; Valle, Vice Chair; Appelwick, Betzoff, Chandler, Cole, Holland, P. King, Long, Peery, Rayburn, Rust, L. Smith, Todd and Walker.

Voting nay: Representatives Fuhrman, Taylor and Wang.

Absent: Representative Schoon.

Passed to Committee on Rules for second reading.

February 8, 1985

HB 153 Prime Sponsor, Representative Armstrong: Revising the enforcement of child support obligations. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, P. King, Locke, Padden, Schmidt, Schoon, Van Luven, West and Wang.

Absent: Representatives Lewis, G. Nelson, Niemi and Tilly.

Passed to Committee on Rules for second reading.

February 8, 1985

HB 168 Prime Sponsor, Representative R. King: Exempting UW printing craft employees from state higher education personnel law. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Betzoff, Chandler, Ebersole, Fisch, Fisher, R. King, O'Brien, Patrick, Sayan, C. Smith, Walker and J. Williams.

Passed to Committee on Rules for second reading.

February 5, 1985

HB 212 Prime Sponsor, Representative Rust: Revising provisions relating to dangerous wastes. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Unsoeld, Vice Chair; Allen, Barnes, Brekke, Brough, Isaacson, Jacobsen, R. King, Lewis, Lux, May, Nutley and Valle.

Absent: Representative Bond.

Referred to Committee on Ways & Means.

February 7, 1985

HB 243 Prime Sponsor, Representative Hargrove: Authorizing a voluntary food fish or shellfish license suspension program in conservation crisis. Reported by Committee on Natural Resources.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Basich, Belcher, Cole, Dobbs, Fuhrman, Hankins, Hargrove, Haugen, Leonard, Lundquist, McMullen, Sanders, Sayan, van Dyke and J. Williams.

Absent: Representatives D. Nelson and S. Wilson.

Passed to Committee on Rules for second reading.

February 7, 1985

HB 274 Prime Sponsor, Representative Sanders: Revising the requirements of a conservation license. Reported by Committee on Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives K. Wilson, Vice Chair; Basich, Cole, Fuhrman, Hankins, Haugen, Lundquist, Sanders, Sayan, van Dyke and J. Williams.

MINORITY recommendation: Do not pass. Signed by Representatives Belcher, Dobbs and Hargrove.

Voting nay: Representatives Belcher, Dobbs, Hargrove and McMullen.

Absent: Representatives D. Nelson, Thomas and S. Wilson.

Passed to Committee on Rules for second reading.

February 7, 1985

HB 278 Prime Sponsor, Representative Ballard: Establishing a pilot program to control diffuse knapweed. Reported by Committee on Agriculture

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Vekich, Chair; Baugher, Vice Chair; Ballard, Bristow, Brooks, Chandler, Doty, Kremen, Madsen, Nealey and Peery.

Passed to Committee on Rules for second reading.

February 7, 1985

HB 294 Prime Sponsor, Representative Sanders: Removing the authority of the game department to pay claims for or prevent damage by wildlife. Reported by Committee on Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Basich, Belcher, Cole, Fuhrman, Hankins, Hargrove, Haugen, Leonard, Lundquist, McMullen, Sanders, Sayan, Thomas, van Dyke and J. Williams.

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

Absent: Representatives D. Nelson and S. Wilson.

Passed to Committee on Rules for second reading.

February 7, 1985

HB 303 Prime Sponsor, Representative Gallagher: Redefining water company for purposes of public utilities regulations. Reported by Committee on Energy & Utilities

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong, Barnes, Bond, Gallagher, Isaacson, Jacobsen, Long, Madsen, Miller, Nealey, Sutherland and Van Luven.

Absent: Representative Unsoeld.

Passed to Committee on Rules for second reading.

## SECOND READING

HOUSE BILL NO. 199, by Representatives R. King, Patrick, Wang, Fisch, Ebersole, Sayan, Belcher, Locke and Fisher

Modifying provisions relating to farm labor contractors.

The bill was read the second time. On motion of Mr. Wang, Substitute House Bill No. 199 was substituted for House Bill No. 199, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 199 was read the second time.

Ms. Doty moved adoption of the following amendments:

On page 5, line 4 after "than" strike "five" and insert "two"

On page 5, line 35 after "than" strike "five" and insert "two"

Representatives Doty and Chandler spoke in favor of the amendments, and Representatives R. King, Baugher and Sayan spoke against them.

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

Mr. Wang spoke against the amendments.

## POINT OF INQUIRY

Mr. Wang yielded to question by Mr. Tilly.

Mr. Tilly: "Representative Wang, is there currently a minimum bond in statute?"

Mr. Wang: "No, it is entirely up to the discretion of the director."

Mr. Tilly spoke in favor of the amendments, and Mr. Lux opposed them.

## ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Doty to page 5 of Substitute House Bill No. 199, and the amendments were not adopted by the following vote: Yeas, 43; nays, 53; absent, 1; excused, 1.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betrozoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Jacobsen, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G. Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C. Smith L. Taylor, Thomas, Tilly, van Dyke, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S - 43.

Voting nay: Representatives Allen, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, King J, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Van Luven, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, and Mr. Speaker - 53.

Absent: Representative King P - 1.

Excused: Representative Zellinsky - 1.

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

On page 5, line 18 after "director" insert ", upon his or her own motion"

On page 5, line 19 after "person" insert ","

Mr. Lundquist moved adoption of the following amendment:

On page 15, after line 21 insert:

"NEW SECTION. Sec. 19. This 1985 act shall take effect January 1, 1986."

Representatives Lundquist and R. King spoke in favor of the amendment, and it was adopted.

Substitute House Bill No. 199 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 52, by Representatives Niemi, Belcher, Hankins, Vekich, Baugher and Walk

Revising provisions relating to the human rights commission.

The bill was read the second time. On motion of Ms. Belcher, Substitute House Bill No. 52 was substituted for House Bill No. 52, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 52 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 53, by Representatives Belcher, Unsoeld, Addison, Hastings, Kremen, R. King, Sayan, P. King, Miller, Hankins and Peery; by Department of Community Development request

Reauthorizing the Center for Voluntary Action.

The bill was read the second time. On motion of Ms. Belcher, Substitute House Bill No. 53 was substituted for House Bill No. 53, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 53 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 92, by Representatives K. Wilson, Lundquist, Sutherland and Brekke

Authorizing designees of state officials to sit on the interagency committee for outdoor recreation.

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

ENGROSSED HOUSE BILL NO. 99, by Representatives Zellinsky, Smitherman, Thomas, Haugen, Schmidt, Walk, Vander Stoep, Fuhrman, Hastings, G. Nelson, P. King, R. King and Nealey

Exempting fish farming from excise taxation.

The bill was read the second time. Committee on Ways & Means recommendation: Majority, do pass as amended. (For amendments, see Journal, 24th Day, February 6, 1985.)

On motion of Mr. Appelwick, the committee amendment to page 1, line 26 was adopted.

On motion of Mr. Braddock, the committee amendments to page 2 and page 1, line 3 of the title were adopted.

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

#### MOTION

On motion of Mr. J. King, HOUSE BILL NO. 123 was rereferred from the second reading calendar to Committee on Ways & Means.

HOUSE BILL NO. 124, by Representatives O'Brien, Belcher, Unsoeld and Isaacson; by Department of Community Development request

Authorizing the defense of actions against authorized agents of the state.

The bill was read the second time. On motion of Ms. Belcher, Substitute House Bill No. 124 was substituted for House Bill No. 124, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 124 was read the second time and passed to Committee on Rules for third reading.



HOUSE BILL NO. 151, by Representatives Nealey, Niemi, Fuhrman, Belcher, Chandler, May, Isaacson and Silver; by Secretary of State request

Authorizing expanded use of the state seal.

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

HOUSE BILL NO. 169, by Representatives Hine, Sayan, Patrick, Basich, Vekich, Barnes, Hargrove, Holland, Crane and Todd

Revising the use of and rent payments for certain public lands.

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

HOUSE BILL NO. 409, by Representatives Sayan, Betrozoff, Wang, J. Williams, Hine, Barrett, Fisher, Addison, O'Brien, Hastings, Fisch, B. Williams, Cole, Ebersole, Niemi, Hankins, Locke, G. Nelson, P. King, Walker and Long

Regulating the practice of architecture.

The bill was read the second time. Committee on Commerce & Labor recommendation: Majority, do pass as amended. (For amendments, see Journal, 24th Day, February 6, 1985.)

Mr. Wang moved adoption of the committee amendments.

#### POINT OF INQUIRY

Mr. Sayan yielded to question by Mr. J. Williams.

Mr. J. Williams: "Representative Sayan, does this amendment allow for the continuation of the current practice where nonlicensed people doing buildings or ground work may submit their plans for building permits if their plans are stamped by a registered engineer, even if the engineer writes below his stamp 'For structural purposes only'?"

Mr. Sayan: "That is the intent, Representative Williams, unless, of course, local building departments, under their present authority, require more or other regulatory requirements."

Representatives Wang and J. Williams spoke in favor of the amendments, and they were adopted.

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

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

#### RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 85-13, by Representatives Nutley, J. King, Tanner and Sayan

WHEREAS, The State of Washington will presently celebrate its first centennial; and

WHEREAS, The people of the State of Washington should reflect on the growth, development and accomplishments of this great state with a great sense of pride; and

WHEREAS, The Legislature of the State of Washington, acting on behalf of the citizens of this state, should recognize with gratitude those pioneers who constructed the foundations and framework upon which our present public and private institutions rest; and

WHEREAS, Governor Gardner noted that as we stand on the brink of our second hundred years, it is fitting to reflect with pride on our rich history and on those early pioneers to whom we are indebted; and

WHEREAS, Louis Sohns as Clark County Territorial Councilman (Senator) in 1864 and 1865, and as a member of the Constitutional Convention of 1889 and tireless worker for an orderly and democratic society, was one such pioneer who deserves recognition for his many services to the State of Washington;

NOW, THEREFORE, BE IT RESOLVED, That Louis Sohns' contribution in public life as Mayor of Vancouver, as trustee of the State School for Defective Youth (now the State School for the Deaf and Blind), as a pioneer banker and industrialist, as a donor of properties to worthy institutions, and as a pioneer participant in the governmental foundations of the State of Washington now receive due recognition, and that charitable works begun by Louis Sohns and carried forward today by his great granddaughter Elaine Eberle Tompkins, receive like recognition; and

BE IT FURTHER RESOLVED, That copies of this Resolution be presented by the Chief Clerk of the House of Representatives to the family of Louis Sohns.

On motion of Ms. Nutley, the resolution was adopted.

HOUSE FLOOR RESOLUTION NO. 85-14, by Representatives Leonard, D. Nelson, Sommers, Long, Ebersole, Cole, P. King, Armstrong, Lux, Patrick, Addison, Holland and J. Williams

WHEREAS, Ivar Haglund, native son of Seattle, has contributed greatly to the quality of life for the people of the State of Washington throughout his illustrious career as restaurateur, philanthropist, entertainer and civic activist; and

WHEREAS, Ivar Haglund has contributed in countless ways to the general well-being of the City of Seattle; and

WHEREAS, Ivar Haglund was best known and loved not only for his generous public works and contributions to schools and charities, but also for his colorful character, charming wit and warm humor; and

WHEREAS, Ivar Haglund played a key role in the development and maintenance of Seattle's waterfront for the enjoyment of Seattle residents and visitors alike; and

WHEREAS, Ivar Haglund was recently hailed by the Mayor of the City of Seattle as "Seattle's treasure," and by the Governor of the State of Washington as "the soul of Seattle"; and

WHEREAS, The death of Ivar Haglund on Wednesday, January 30, 1985 signals the close of a memorable chapter in Seattle's history;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the Washington State Legislature, That the Chief Clerk of the House of Representatives, in memory of this historic Seattle character, be officially directed to admonish all members and staff to "Keep clam," as Ivar would have wished it.

Mr. Armstrong moved adoption of the resolution. Representatives Armstrong and D. Nelson spoke in favor of the resolution, and it was adopted.

#### MOTIONS

On motion of Mr. J. King, HOUSE BILL NO. 363 was rereferred from Committee on Education to Committee on Higher Education.

On motion of Mr. J. King, HOUSE BILL NO. 615 was rereferred from Committee on Ways & Means to Committee on Natural Resources.

On motion of Mr. J. King, HOUSE BILL NO. 833 was rereferred from Committee on Social & Health Services to Committee on Financial Institutions and Insurance.

On motion of Mr. J. King, HOUSE BILL NO. 836 was rereferred from Committee on Social & Health Services to Committee on Financial Institutions & Insurance.

On motion of Mr. J. King, HOUSE JOINT RESOLUTION NO. 25 was rereferred from Committee on Local Government to Committee on Constitution, Elections and Ethics.

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

#### FIRST READING

HB 900 by Representatives Day, Todd, Padden, Gallagher, Barrett, Dellwo, Cole, Bristow, J. Williams, Winsley and Rayburn

AN ACT Relating to local government: adding a new section to chapter 35.21 RCW; adding a new section to chapter 36.32 RCW; and creating a new section.

Referred to Committee on Local Government.

HB 901 by Representative Sanders

AN ACT Relating to compulsory school attendance; and amending RCW 28A.27.010, 28A.27.040, and 28A.27.090.

Referred to Committee on Education.

HB 902 by Representatives Sanders and Vekich

AN ACT Relating to protected wildlife; and amending RCW 77.08.010, 77.32.320, and 77.32.340.

Referred to Committee on Natural Resources.

HB 903 by Representatives Sanders and Vekich

AN ACT Relating to financial institutions; and amending RCW 30.04.505 and 30.04.510.

Referred to Committee on Financial Institutions & Insurance.

HB 904 by Representative Armstrong

AN ACT Relating to licensed service providers; adding a new section to chapter 71.24 RCW; and creating a new section.

Referred to Committee on Judiciary.

HB 905 by Representatives Grimm, Walk, Miller and Winsley

AN ACT Relating to woodstove emissions; and adding a new chapter to Title 70 RCW.

Referred to Committee on Environmental Affairs.

HB 906 by Representative Belcher

AN ACT Relating to anadromous fish; amending RCW 75.08.011; and creating a new section.

Referred to Committee on Natural Resources.

HB 907 by Representative J. King

AN ACT Relating to the preservation of waterfalls; and adding a new section to chapter 90.54 RCW.

Referred to Committee on Environmental Affairs.

HB 908 by Representative Smitherman

AN ACT Relating to air pollution; and amending RCW 70.94.700.

Referred to Committee on Environmental Affairs.

HB 909 by Representative Smitherman

AN ACT Relating to environmental action appeals; and amending RCW 43.21C.075.

Referred to Committee on Environmental Affairs.

HB 910 by Representatives Smitherman, S. Wilson, Thomas, L. Smith and Wang

AN ACT Relating to the youth development and conservation corps; and amending RCW 43.51.570.

Referred to Committee on Trade & Economic Development.

HB 911 by Representatives K. Wilson, Leonard, Tanner, Sanders, Isaacson and Wang

AN ACT Relating to harassment; amending RCW 9.61.230; adding a new chapter to Title 9A RCW; creating a new section; repealing RCW 9.58.110 and 9.58.120; providing penalties; providing an effective date; and declaring an emergency.

Referred to Committee on Judiciary.

HB 912 by Representatives Belcher and Tanner

AN ACT Relating to domestic relations; and amending RCW 26.09.080, 26.09.090, 26.09.140, 26.09.250, and 26.09.260.

Referred to Committee on Judiciary.

HB 913 by Representative Belcher

AN ACT Relating to public employment; adding new sections to chapter 41.06 RCW; amending RCW 41.64.110, 41.06.020, 41.06.040, 41.06.070, 41.06.080, 41.06.120, 41.06.155,

41.06.160, 41.06.163, 41.06.167, 41.06.170, 41.06.270, 41.06.340, 41.06.350, 41.06.400, 41.06.410, 41.06.420, 41.06.430, 41.06.440, and 41.06.450; creating new sections; repealing RCW 41.06.010, 41.06.030, 41.06.110, 41.06.130, 41.06.140, 41.06.150, 41.06.169, 41.06.175, 41.06.185, 41.06.195, 41.06.205, 41.06.215, 41.06.220, 41.06.230, 41.06.240, 41.06.280, 41.06.300, 41.06.310, 41.06.320, 41.06.330, 28B.16.010, 28B.16.020, 28B.16.030, 28B.16.040, 28B.16.060, 28B.16.070, 28B.16.080, 28B.16.090, 28B.16.100, 28B.16.101, 28B.16.105, 28B.16.110, 28B.16.112, 28B.16.113, 28B.16.116, 28B.16.120, 28B.16.130, 28B.16.140, 28B.16.150, 28B.16.160, 28B.16.170, 28B.16.180, 28B.16.190, 28B.16.210, 28B.16.220, 28B.16.230, 28B.16.240, 28B.16.250, 28B.16.260, 28B.16.270, 28B.16.280, 28B.16.290, 28B.16.900, 28B.16.910, 28B.16.920, and 28B.16.930; providing effective dates; and declaring an emergency.

Referred to Committee on State Government.

HB 914 by Representatives Appelwick and Grimm

AN ACT Relating to timber tax distributions; amending RCW 84.33.081; and creating a new section.

Referred to Committee on Ways & Means.

HB 915 by Representatives Fisch, Sutherland, Peery and Hargrove

AN ACT Relating to the timber excise tax; and amending RCW 84.33.081.

Referred to Committee on Ways & Means.

HB 916 by Representative Barrett

AN ACT Relating to transient merchants; adding a new chapter to Title 18 RCW; prescribing penalties; and declaring an emergency.

Referred to Committee on Commerce & Labor.

HB 917 by Representative Sayan

AN ACT Relating to unemployment compensation coverage for corporate officers; and repealing RCW 50.04.165.

Referred to Committee on Commerce & Labor.

HB 918 by Representatives Dellwo and Barrett

AN ACT Relating to public stadiums, convention, performing arts, and visual arts facilities; amending RCW 67.28.120, 67.28.150, 67.28.160, and 67.28.210; adding new sections to chapter 67.28 RCW; and recodifying RCW 67.28.220.

Referred to Committee on Ways & Means.

HB 919 by Representative Braddock

AN ACT Relating to higher education; amending RCW 28B.15.031, 28B.15.041, and 28B.15.100; and adding new sections to chapter 28B.15 RCW.

Referred to Committee on Higher Education.

HB 920 by Representatives Braddock and Brekke

AN ACT Relating to revenue and taxation; amending RCW 82.03.130, 82.03.140, and 82.03.180; reenacting and amending 82.08.020; adding a new title to the Revised Code of Washington to be numbered Title 82A RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Ways & Means.

HB 921 by Representatives Sommers, Belcher and Wineberry

AN ACT Relating to higher education; creating a new section; and making an appropriation.

Referred to Committee on Higher Education.

HB 922 by Representative West

AN ACT Relating to court costs; and amending RCW 10.01.160.

Referred to Committee on Judiciary.

HB 923 by Representatives Grimm, Brekke and Wineberry

AN ACT Relating to revenue and taxation; amending RCW 82.03.130, 82.03.140, and 82.03.180; adding a new title to the Revised Code of Washington to be numbered Title 82A

RCW; repealing RCW 82.04.220, 82.04.230, 82.04.240, 82.04.250, 82.04.255, 82.04.260, 82.04.270, 82.04.280, 82.04.290, 82.04.2901, and 82.04.2904; prescribing penalties; and providing an effective date.

Referred to Committee on Ways & Means.

HB 924 by Representatives Valle, Jacobsen and Barnes

AN ACT Relating to port districts; and amending RCW 53.08.260.

Referred to Committee on Local Government.

HB 925 by Representatives Valle, Holland, Ebersole, Rayburn, Betrozoff, Jacobsen, Barnes, Walker, Long, May, Todd and Wang

AN ACT Relating to certificated employees; amending RCW 28A.67.065 and 28A.67.072; adding new sections to chapter 28A.03 RCW; adding new sections to chapter 28A.67 RCW; creating new sections; and declaring an emergency.

Referred to Committee on Education.

HB 926 by Representatives Sommers, Jacobsen, Miller and Wineberry

AN ACT Relating to the state museum of the University of Washington; amending RCW 27.40.010; repealing RCW 43.131.263 and 43.131.264; providing an effective date; and declaring an emergency.

Referred to Committee on Higher Education.

HB 927 by Representatives Grimm, Appelwick, Braddock, Todd, Belcher, Unsoeld, Armstrong, Wineberry and Holland

AN ACT Relating to a single rate business excise tax; amending RCW 82.04.080, 82.04.220, 82.04.300, 82.04.310, 82.04.320, 82.04.330, 82.04.335, 82.04.360, 82.04.390, 82.04.405, 82.04.408, 82.04.410, 82.04.419, 82.04.4286, 82.04.4287, 82.04.4294, and 82.04.4284; adding new sections to chapter 82.04 RCW; creating a new section; and repealing RCW 82.04.230, 82.04.240, 82.04.250, 82.04.255, 82.04.260, 82.04.270, 82.04.280, 82.04.290, 82.04.2901, 82.04.2902, 82.04.2903, 82.04.2904, 82.04.315, 82.04.325, 82.04.340, 82.04.350, 82.04.355, 82.04.365, 82.04.370, 82.04.380, 82.04.385, 82.04.395, 82.04.397, 82.04.415, 82.04.417, 82.04.418, 82.04.423, 82.04.425, 82.04.4271, 82.04.4281, 82.04.4282, 82.04.4283, 82.04.4285, 82.04.4288, 82.04.4289, 82.04.4291, 82.04.4292, 82.04.4293, 82.04.4295, 82.04.4296, 82.04.4297, 82.04.4298, 82.04.431, 82.04.432, 82.04.4322, 82.04.4324, 82.04.4326, 82.04.4328, 82.04.435, 82.04.440, 82.04.444, 82.04.445, 82.04.450, 82.04.460, 82.04.600, and 82.04.900.

Referred to Committee on Ways & Means.

HB 928 by Representatives Silver, B. Williams, L. Smith, Holland, Lewis, Schoon, May, Thomas and Kremen

AN ACT Relating to budget and accounting; and adding a new section to chapter 43.88 RCW.

Referred to Committee on State Government.

HB 929 by Representatives Dellwo, Day, Silver, Barrett, Taylor, Miller and May

AN ACT Relating to driving while intoxicated; amending RCW 46.61.515; creating a new chapter in Title 36 RCW; adding a new section to chapter 43.59 RCW; creating a new section; prescribing penalties; declaring an emergency; and providing an effective date.

Referred to Committee on Judiciary.

HB 930 by Representatives Leonard, Brekke, Locke, Wineberry, Winsley, D. Nelson, Lewis, Lux, Brooks, Ebersole, Cole, Allen, Braddock, Armstrong, K. Wilson, Niemi, Valle, Miller, Addison, Scott, R. King, Isaacson and Wang

AN ACT Relating to "street kids"; creating a new section; making an appropriation; and providing an expiration date.

Referred to Committee on Social & Health Services.

HB 931 by Representatives Locke, Niemi, Belcher, Dellwo, Crane and Tanner

AN ACT Relating to victims of sexual assault; and amending RCW 70.125.065.

Referred to Committee on Judiciary.

- HB 932** by Representatives K. Wilson, Allen, P. King, Armstrong, Miller, Leonard, Lewis, G. Nelson, Tanner, Patrick, Brough, May, Winsley and Todd  
AN ACT Relating to child abuse; amending RCW 9.69.100 and 26.44.030; adding new sections to chapter 26.44 RCW; creating a new section; and prescribing penalties.  
Referred to Committee on Judiciary.
- HB 933** by Representatives Appelwick, Barrett, Armstrong, Lewis, Locke, Wang, Niemi, Padden, Miller, Ballard and Scott  
AN ACT Relating to privileged communications for registered nurses; and adding new sections to chapter 5.60 RCW.  
Referred to Committee on Judiciary.
- HB 934** by Representatives McMullen, Padden, Hargrove, Schmidt and Dellwo  
AN ACT Relating to public works contract claims; and adding a new section to chapter 39.04 RCW.  
Referred to Committee on Judiciary.
- HB 935** by Representatives D. Nelson, Sommers, Miller, Jacobsen, G. Nelson, Belcher, Fisch, Scott, Brough and Holland  
AN ACT Relating to community colleges; and amending RCW 28B.50.140.  
Referred to Committee on Higher Education.
- HB 936** by Representatives Crane, Barrett, Wang, Holland, P. King, K. Wilson, Jacobsen and Winsley  
AN ACT Relating to loans; amending RCW 33.12.012 and 31.12.136; adding new sections to chapter 64.04 RCW; creating a new section; and providing an effective date.  
Referred to Committee on Financial Institutions & Insurance.
- HB 937** by Representatives R. King, Scott, K. Wilson and P. King  
AN ACT Relating to compensation of child crime victims; and amending RCW 7.68.070.  
Referred to Committee on Judiciary.
- HB 938** by Representatives Patrick, K. Wilson, Hankins, Betrozoff, Zellinsky and May  
AN ACT Relating to motor vehicles; and amending RCW 46.16.006.  
Referred to Committee on Transportation.
- HB 939** by Representatives P. King, Padden, Scott, Crane, May and Dellwo  
AN ACT Relating to judgment liens; and amending RCW 4.56.200.  
Referred to Committee on Judiciary.
- HB 940** by Representatives Hargrove, Tanner, Haugen, Bristow, McMullen and May  
AN ACT Relating to small business; amending RCW 34.04.070, 34.04.230, and 43.31-.925; and adding a new section to chapter 19.85 RCW.  
Referred to Committee on Trade & Economic Development.
- HB 941** by Representatives Tilly, Locke, Sanders and Long  
AN ACT Relating to tobacco products; and amending RCW 82.02.030.  
Referred to Committee on Ways & Means.
- HB 942** by Representatives L. Smith and Brooks  
AN ACT Relating to referendum procedures on local taxation; and amending RCW 35.21.706 and 82.46.021.  
Referred to Committee on Local Government.
- HB 943** by Representatives Scott, Appelwick and Crane

AN ACT Relating to technology transfer; adding a new chapter to Title 43 RCW; making an appropriation; and providing an expiration date.

Referred to Committee on Trade & Economic Development.

HB 944 by Representatives Haugen, Niemi, Doty and Isaacson

AN ACT Relating to alternative residential placement; and amending RCW 13.32A.175.

Referred to Committee on Judiciary.

HB 945 by Representatives McMullen, Appelwick, Lundquist and Wineberry

AN ACT Relating to the center for international trade and economic development; adding a new section to chapter 28B.20 RCW; and creating a new section.

Referred to Committee on Trade & Economic Development.

HB 946 by Representatives Nealey, Allen and Brough

AN ACT Relating to revenue and taxation; amending RCW 82.03.130, 82.03.140, 82.03.180, 84.52.043, 43.135.020, and 76.12.120; reenacting and amending RCW 82.08.020; adding a new title to the Revised Code of Washington to be numbered Title 82A RCW; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; adding a new section to chapter 84.52 RCW; repealing RCW 82.04.220, 82.04.230, 82.04.240, 82.04.250, 82.04.255, 82.04.260, 82.04.270, 82.04.280, 82.04.290, 82.04.2901, 82.04.2904, 84.52.065, and 84.52.067; prescribing penalties; and providing an effective date.

Referred to Committee on Ways & Means.

HB 947 by Representative Barnes; by Secretary of State request

AN ACT Relating to lapsing of special and general elections for certain offices; adding a new section to chapter 29.04 RCW; and providing an effective date.

Referred to Committee on Constitution, Elections & Ethics.

HB 948 by Representatives D. Nelson, Long, Todd and Unsoeld; by Washington State Energy Office request

AN ACT Relating to energy-related building standards; amending RCW 19.27.030, 19.27.070, and 19.27.075; adding new sections to chapter 19.27 RCW; repealing RCW 19.27.200, 19.27.210, 19.27.220, 19.27.230, 19.27.240, 19.27.250, 19.27.260, 19.27.270, 19.27.280, 19.27.290, 19.27.300, 19.27.310, and 19.27.905; providing effective dates; and declaring an emergency.

Referred to Committee on Energy & Utilities.

HB 949 by Representative D. Nelson, Unsoeld and Isaacson; by Washington State Energy Office request

AN ACT Relating to procurement of energy equipment and services under performance-based contracts by municipalities; amending RCW 35.22.620, 35.23.352, 36.32.240, and 36.32.250; adding a new section to chapter 39.04 RCW; adding a new chapter to Title 39 RCW; and creating a new section.

Referred to Committee on Energy & Utilities.

HB 950 by Representatives Tanner, Miller, Ebersole, Appelwick, Tilly, P. King, Lewis, Zellinsky, Dobbs, Haugen, Prince, Gallagher, Basich, Isaacson, Fisch, Smitherman, West, Sanders, Hastings, Todd, Holland, Bond, J. Williams, Long, Hankins and Van Luven

AN ACT Relating to business and occupation taxation; and adding a new section to chapter 82.04 RCW.

Referred to Committee on Ways & Means.

HB 951 by Representatives Addison, Zellinsky, P. King, Sanders, Holland, Fuhrman, Dobbs, Long, Doty, L. Smith and Isaacson

AN ACT Relating to the community work and training program; and amending RCW 74.04.473.

Referred to Committee on Social & Health Services.

HB 952 by Representatives Addison and P. King

AN ACT Relating to the education and protection of children; amending RCW 28A-.02.201 and 28A.05.010; and making an appropriation.

Referred to Committee on Education.

HB 953 by Representative Gallagher

AN ACT Relating to the housing finance commission; and amending RCW 43.180.050 and 43.180.070.

Referred to Committee on State Government.

HB 954 by Representatives O'Brien, Betrozoff, Fisch, S. Wilson, Unsoeld, Barrett, Sayan, Winsley and Miller; by 1989 Washington Centennial Commission request

AN ACT Relating to the celebration of the 1989 centennial of Washington statehood; making appropriations; providing an effective date; and declaring an emergency.

Referred to Committee on Trade & Economic Development.

HB 955 by Representatives Hine, Schoon, Brough, May and Isaacson

AN ACT Relating to excess levies; and reenacting and amending RCW 84.52.0531.

Referred to Committee on Education.

HB 956 by Representatives Locke and Hine

AN ACT Relating to local government; amending RCW 35.21.730, 35.21.745, 35.21.735, 35.21.740, and 35.21.755; and repealing RCW 35.21.725.

Referred to Committee on Local Government.

HB 957 by Representatives Winsley, Crane, Barrett, West, Zellinsky, P. King and Holland

AN ACT Relating to insurance; and amending RCW 48.22.030 and 48.22.040.

Referred to Committee on Financial Institutions & Insurance.

HB 958 by Representatives McMullen, Haugen and Lundquist

AN ACT Relating to island trust land transfers; amending RCW 43.51.270 and 43.51-.280; and creating a new section.

Referred to Committee on Environmental Affairs.

HB 959 by Representatives McMullen, Ebersole, Belcher, Jacobsen and K. Wilson

AN ACT Relating to civil actions; and adding a new section to chapter 66.44 RCW.

Referred to Committee on Judiciary.

HB 960 by Representatives McMullen and Wang

AN ACT Relating to actions by workers against third parties under Title 51 RCW; and amending RCW 51.24.030.

Referred to Committee on Commerce & Labor.

HB 961 by Representatives K. Wilson, G. Nelson, R. King and Schmidt

AN ACT Relating to public transportation; and creating a new chapter in Title 81 RCW.

Referred to Committee on Transportation.

HB 962 by Representative Sutherland

AN ACT Relating to homesteads; and amending RCW 6.12.100.

Referred to Committee on Judiciary.

HB 963 by Representatives Zellinsky and Hine

AN ACT Relating to shoreline areas; and adding a new section to chapter 90.58 RCW.

Referred to Committee on Environmental Affairs.

HB 964 by Representatives Hine and Unsoeld



AN ACT Relating to dredging; and adding a new section to chapter 43.21A RCW.

Referred to Committee on Environmental Affairs.

HB 965 by Representatives Tanner, Taylor, Smitherman, Allen, Baugher, Bristow, Brooks, Fisch, Fisher, Hankins, Holland, Leonard, Lundquist, May, Miller, Rayburn, Rust, C. Smith, L. Smith, Thomas, Walker, K. Wilson, Dobbs, Unsoeld, J. Williams, Haugen and Doty

AN ACT Relating to privileged communications; and amending RCW 5.60.060.

Referred to Committee on Judiciary.

HB 966 by Representatives Ebersole, Taylor, Braddock, Allen, Baugher, Bristow, Brooks, Fisch, Fisher, Hankins, Holland, Leonard, Lundquist, May, Miller, Rust, C. Smith, L. Smith, Smitherman, Thomas, Vekich, Walker, K. Wilson, Dobbs, Unsoeld, J. Williams, Long, Haugen and Doty

AN ACT Relating to evidence in personal injury and wrongful death actions; and adding a new section to chapter 4.22 RCW.

Referred to Committee on Judiciary

HB 967 by Representatives Zellinsky, Taylor, Braddock, Allen, Brekke, Bristow, Brooks, Fisch, Fisher, Hankins, Holland, Leonard, Lundquist, May, Miller, Rust, C. Smith, L. Smith, Smitherman, Thomas, Vekich, Walker, K. Wilson, Dobbs, Unsoeld, J. Williams, Winsley, Haugen and Doty

AN ACT Relating to evidence in personal injury and wrongful death actions; adding a new section to chapter 4.24 RCW; and repealing RCW 7.70.080.

Referred to Committee on Judiciary.

HB 968 by Representatives Haugen, Taylor, Braddock, Allen, Baugher, Bristow, Brooks, Fisch, Fisher, Hankins, Holland, Leonard, Lundquist, May, Miller, Rayburn, Rust, C. Smith, L. Smith, Smitherman, Thomas, Vekich, Walker, K. Wilson, Dobbs, Unsoeld, J. Williams, Winsley, Isaacson and Doty

AN ACT Relating to payment of judgments in personal injury and wrongful death actions; and adding a new section to chapter 4.56 RCW.

Referred to Committee on Judiciary.

HB 969 by Representative D. Nelson

AN ACT Relating to conflict of interest; amending RCW 42.17.150; adding a new section to chapter 42.17 RCW; and adding a new section to chapter 42.18 RCW.

Referred to Committee on State Government.

HB 970 by Representatives D. Nelson, Rust, Valle, Brekke and Lux

AN ACT Relating to the model litter control and recycling act; amending RCW 70.93-.030, 70.93.130, 70.93.194, and 70.93.200; adding new sections to chapter 43.131 RCW; creating a new section; repealing RCW 70.93.010, 70.93.020, 70.93.030, 70.93.040, 70.93.050, 70.93.060, 70.93.070, 70.93.080, 70.93.090, 70.93.100, 70.93.110, 70.93.120, 70.93.130, 70.93.140, 70.93.150, 70.93.160, 70.93.170, 70.93.180, 70.93.194, 70.93.200, 70.93.210, 70.93.230, 70.93.900, 70.93.910, and 70.93.920; and providing an effective date.

Referred to Committee on Environmental Affairs.

HB 971 by Representatives D. Nelson and Brekke

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

Referred to Committee on Ways & Means.

HB 972 by Representatives Vekich, Unsoeld and Wang

AN ACT Relating to consumer credit reporting; adding a new chapter to Title 19 RCW; and prescribing penalties.

Referred to Committee on Financial Institutions & Insurance.

HB 973 by Representatives Rust, Jacobsen and Allen

AN ACT Relating to outdoor recreation; amending RCW 46.09.110, 46.09.170, 46.09.240, and 46.09.270; and adding a new section to chapter 46.09 RCW.

Referred to Committee on Environmental Affairs.

HB 974 by Representatives Rust, Allen, Jacobsen, Lewis, Unsoeld, Valle, May, Miller, K. Wilson and Todd

AN ACT Relating to acid rain; amending RCW 70.94.800, 70.94.805, and 70.94.820; adding new sections to chapter 70.94 RCW; making appropriations; and declaring an emergency.

Referred to Committee on Environmental Affairs.

HB 975 by Representatives Rust, Allen, Jacobsen, Unsoeld, Barnes, Valle and Lux

AN ACT Relating to hazardous waste planning and facility siting; amending RCW 70.105.010; and adding new sections to chapter 70.105 RCW.

Referred to Committee on Environmental Affairs.

HB 976 by Representatives Brough, Haugen, Grimm, Madsen, Schoon and Hine

AN ACT Relating to ad hoc community councils; amending RCW 36.32.500 and 36.32.505; and adding new sections to chapter 36.32 RCW.

Referred to Committee on Local Government.

HB 977 by Representatives J. King, West, Zellinsky, Holland and Barrett

AN ACT Relating to insurance holding corporations; amending RCW 48.07.030, 48.07.040, 48.07.050, and 48.07.070; and declaring an emergency.

Referred to Committee on Financial Institutions & Insurance.

HB 978 by Representative Nutley

AN ACT Relating to right of way improvements; and amending RCW 35.72.010.

Referred to Committee on Local Government.

HB 979 by Representatives Haugen, Sommers, Zellinsky, P. King and J. King

AN ACT Relating to education in maritime studies; and amending RCW 28B.80.160.

Referred to Committee on Higher Education.

HB 980 by Representatives Cole, Unsoeld and Rust

AN ACT Relating to environmental education; creating new sections; and making an appropriation.

Referred to Committee on Education.

HB 981 by Representative R. King

AN ACT Relating to school district employees; and amending RCW 28A.58.099.

Referred to Committee on Education.

HB 982 by Representatives Silver, J. King, Hankins, Doty, Day, Walker, Braddock, Thomas, May, West, B. Williams, Miller, Schoon, Long, Hankins, Winsley, Thomas and L. Smith

AN ACT Relating to expanding the responsibilities of the business license center; amending RCW 19.02.010, 19.02.040, 19.02.100, 19.02.110, and 19.02.810; and adding a new section to chapter 19.02 RCW.

Referred to Committee on Trade & Economic Development.

HB 983 by Representatives Silver, Dellwo, Taylor, Day, Barrett, West, Padden and Bond

AN ACT Relating to the taxation of military installations on the national register of historic places; amending RCW 84.36.800, 84.36.805, and 84.36.810; and adding a new section to chapter 84.36 RCW.

Referred to Committee on Ways & Means.

HB 984 by Representatives Silver, Schoon, Taylor and Tilly

AN ACT Regulating contributions from political committees; and adding a new section to chapter 42.17 RCW.

Referred to Committee on Constitution, Elections & Ethics.

**HB 985** by Representatives Rayburn and Baugher

AN ACT Relating to state general obligation bonds for agricultural water supply facilities; and adding a new chapter to Title 43 RCW.

Referred to Committee on Agriculture.

**HB 986** by Representative Baugher

AN ACT Relating to riparian water rights; and amending RCW 90.03.010.

Referred to Committee on Agriculture.

**HB 987** by Representatives Patrick, Ballard, S. Wilson, Walker, Chandler, Betzoff, Van Luven, Thomas, J. Williams, Prince, Brooks, L. Smith, Dobbs, Sanders, West, May, Fuhrman, Nealey, Holland, Hastings, Silver, Barrett, Barnes, van Dyke, Allen, Doty, Bristow, Miller, Tilly, G. Nelson, Isaacson, Schoon, Vander Stoep, Brough, Bond, Long and C. SMith

AN ACT Relating to workers' compensation; amending RCW 43.22.030, 48.32.020, 51.04.020, 51.04.030, 51.04.040, 51.04.070, 51.04.085, 51.04.100, 51.04.105, 51.08.013, 41.06.070, 51.08.015, 51.08.100, 51.08.160, 51.12.050, 51.12.070, 51.12.100, 51.12.110, 51.12.120, 51.12.140, 51.12.150, 51.14.010, 51.14.020, 51.14.050, 51.14.150, 51.16.035, 51.16.060, 51.16.070, 51.16.100, 51.16.120, 51.16.140, 51.16.150, 51.24.030, 51.24.050, 51.24.060, 51.24.070, 51.24.080, 51.24.090, 51.28.010, 51.28.020, 51.28.025, 51.28.030, 51.28.070, 51.32.010, 51.32.015, 51.32.030, 51.32.040, 51.32.050, 51.32.055, 51.32.060, 51.32.072, 51.32.073, 51.32.075, 51.32.080, 51.32.090, 51.32.095, 51.32.110, 51.32.130, 51.32.135, 51.32.150, 51.32.160, 51.32.190, 51.32.200, 51.32.210, 51.32.220, 51.32.230, 51.32.240, 51.32.250, 51.36.010, 51.36.020, 51.36.040, 51.36.060, 51.36.070, 51.36.080, 51.44.040, 51.44.070, 51.44.140, 51.44.150, 51.48.010, 51.48.015, 51.48.017, 51.48.020, 51.48.040, 51.48.050, 51.48.060, 51.48.090, 51.48.110, 51.48.120, 51.48.130, 51.48.140, 51.48.150, 51.52.010, 51.52.030, 51.52.050, 51.52.060, 51.52.070, 51.52.080, 51.52.095, 51.52.100, 51.52.110, 51.52.120, 51.52.130, 51.52.132, and 51.52.135; adding a new section to chapter 48.19 RCW; adding a new section to chapter 51.04 RCW; adding new sections to chapter 51.08 RCW; adding a new section to chapter 51.16 RCW; adding a new section to chapter 51.28 RCW; adding a new section to chapter 51.32 RCW; adding new sections to chapter 51.44 RCW; adding a new section to chapter 51.52 RCW; adding a new section to chapter 51.98 RCW; adding a new chapter to Title 51 RCW; creating new sections; repealing RCW 51.04.110, 51.08.014, 51.08.175, 51.14.100, 51.14.110, 51.16.042, 51.16.050, 51.36.050, 51.41.005, 51.41.010, 51.41.020, 51.41.030, 51.41.040, 51.41.050, 51.41.060, 51.41.070, 51.41.080, 51.41.090, 51.41.100, 51.44.010, 51.44.020, 51.44.050, 51.44.060, 51.44.160, and 51.52.150; making appropriations; and providing an effective date.

Referred to Committee on Commerce & Labor.

**HB 988** by Representatives Tanner, Miller, Belcher and Unsoeld

AN ACT Relating to child support; and amending RCW 26.09.130.

Referred to Committee on Judiciary.

**HB 989** by Representatives Tanner, Fisch and Isaacson

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

Referred to Committee on Ways & Means.

**HB 990** by Representatives Hastings and Schmidt

AN ACT Relating to equipment requirements for combination vehicles; and adding a new section to chapter 46.37 RCW.

Referred to Committee on Transportation.

**HB 991** by Representatives Hastings, Schmidt and Brooks

AN ACT Relating to the transportation of food processing plant by-products; and amending RCW 46.61.655.

Referred to Committee on Transportation.

HB 992 by Representatives Hastings, Dobbs, B. Williams, Tilly, L. Smith, Patrick, Schoon, Silver, Walker, Bond, May, Sanders, Van Luven and Isaacson

AN ACT Relating to the reduction of excise taxes; amending RCW 82.04.255, 82.04-.290, and 82.02.030; reenacting and amending RCW 82.08.020; repealing RCW 82.04.2901; providing effective dates; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 993 by Representatives Hastings and Brooks

AN ACT Relating to funeral directors and embalmers; and amending RCW 18.39.070.

Referred to Committee on Social & Health Services.

HB 994 by Representatives Locke, Winsley, D. Nelson, Lux, Brekke and Long

AN ACT Relating to shoplifting; and amending RCW 4.24.230.

Referred to Committee on Judiciary.

HB 995 by Representatives Jacobsen, Wineberry, Niemi and Miller

AN ACT Relating to research at the state institutions of higher education; adding a new section to chapter 28B.10 RCW; creating a new section; and making an appropriation.

Referred to Committee on Higher Education.

HB 996 by Representatives Sayan, Smitherman, Zellinsky, Schmidt, R. King, Lux and Wang

AN ACT Relating to contracts for public works and improvements; and adding new sections to chapter 39.04 RCW.

Referred to Committee on Commerce & Labor.

HB 997 by Representatives Valle, Jacobsen and Long

AN ACT Relating to school levies; amending RCW 84.52.056; and providing a contingent effective date.

Referred to Committee on Education.

HB 998 by Representatives Scott, Jacobsen and Wang

AN ACT Relating to child care; adding a new chapter to Title 74 RCW; creating a new section; and making an appropriation.

Referred to Committee on Social & Health Services.

HB 999 by Representatives Appelwick, Jacobsen and Cole

AN ACT Relating to educational clinics; adding new sections to chapter 28A.97 RCW; and creating a new section.

Referred to Committee on Education.

HB 1000 by Representatives Appelwick, Hastings, Prince, Zellinsky, G. Nelson, Bond, J. Williams, Sanders, Isaacson and May; by Department of Revenue request

AN ACT Relating to use taxation; and amending RCW 82.12.010.

Referred to Committee on Ways & Means.

HB 1001 by Representatives Appelwick and Hastings; by Department of Revenue request

AN ACT Relating to property taxation; and amending RCW 84.40.060, 84.38.020, 84.38.030, 84.38.050, 84.38.100, 84.38.130, 84.48.110, 84.48.120 and, 84.56.290.

Referred to Committee on Ways & Means.

HB 1002 by Representatives Appelwick and Hastings; by Department of Revenue request

AN ACT Relating to business and occupation taxation of the business of making sales through direct seller's representatives; and amending RCW 82.04.423.

Referred to Committee on Ways & Means.

HB 1003 by Representative Appelwick; by Department of Revenue request

AN ACT Relating to excise tax administration; amending RCW 82.32.340, 82.32.290, and 82.48.090; and adding new sections to chapter 82.32 RCW.

Referred to Committee on Ways & Means.

HB 1004 by Representatives Appelwick and Hastings; by Department of Revenue request

AN ACT Relating to revenue and taxation; and amending RCW 11.28.120 and 43.10.067.

Referred to Committee on Judiciary.

HB 1005 by Representative Appelwick; by Department of Revenue request

AN ACT Relating to excise taxation; and amending RCW 82.04.180 and 82.32.140.

Referred to Committee on Ways & Means.

HB 1006 by Representatives Appelwick and Hastings; by Department of Revenue request

AN ACT Relating to excise tax definitions; and amending RCW 82.04.190.

Referred to Committee on Ways & Means.

HB 1007 by Representatives Appelwick and Hastings; by Department of Revenue request

AN ACT Relating to taxation; and amending RCW 42.17.310 and 82.32.330.

Referred to Committee on Ways & Means.

HB 1008 by Representatives Appelwick and Hastings; by Department of Revenue request

AN ACT Relating to the tax on conveyances; adding a new section to chapter 82.20 RCW; repealing RCW 82.20.020, 82.20.030, and 82.20.040; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 1009 by Representatives Appelwick and Hastings; by Department of Revenue request

AN ACT Relating to administrative and definitional changes to the excise tax laws; and amending RCW 82.04.170 and 82.04.260.

Referred to Committee on Ways & Means.

HB 1010 by Representative Grimm

AN ACT Relating to the publication of the session laws of the state of Washington; making an appropriation; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 1011 by Representatives Fisher, Tilly, Sanders and Wang

AN ACT Relating to precincts and precinct election officers; amending RCW 29.01-.120, 29.04.040, 29.04.055, 29.33.160, 29.45.010, 29.45.020, 29.45.030, 29.45.040, 29.45.050, 29.45.060, 29.45.070, 29.45.080, 29.45.090, 29.45.100, 29.45.120, and 29.62.090; repealing RCW 29.01.030, 29.01.150, 29.45.065, and 29.45.110; and providing an effective date.

Referred to Committee on Constitution Elections & Ethics.

HB 1012 by Representative Lux; by Department of Licensing request

AN ACT Relating to commodities and securities licensing; amending RCW 21.20.110; adding a new chapter to Title 21 RCW; prescribing penalties; making an appropriation; and providing an effective date.

Referred to Committee on Financial Institutions & Insurance.

HB 1013 by Representatives P. King, Addison and Prince; by Insurance Commissioner request

AN ACT Relating to insurance holding company systems; amending RCW 48.31A.020 and 48.31A.050; and declaring an emergency.

Referred to Committee on Financial Institutions & Insurance.

HB 1014 by Representatives D. Nelson and Isaacson; by Energy Facility Site Evaluation Council request

AN ACT Relating to the energy facility site evaluation council; amending RCW 80.50.040; and reenacting and amending RCW 80.50.030.

Referred to Committee on Energy & Utilities.

HB 1015 by Representatives Lux and Sayan

AN ACT Relating to minimum wages; and adding a new section to chapter 49.46 RCW.

Referred to Committee on Commerce & Labor.

HB 1016 by Representatives Tilly, Wang, Schoon, G. Nelson, Ballard, Vander Stoep, Walker, Holland, Van Luven and May

AN ACT Relating to law enforcement roadblocks; and adding a new chapter to Title 46 RCW.

Referred to Committee on Judiciary.

HB 1017 by Representatives Tilly, Locke, Patrick and Ballard

AN ACT Relating to alcoholic beverages; and adding a new section to chapter 66.28 RCW.

Referred to Committee on Commerce & Labor.

HB 1018 by Representative Tilly

AN ACT Relating to irrigation district voting rights; amending RCW 87.03.045 and 87.03.075; adding a new section to chapter 87.03 RCW; and repealing RCW 87.03.050, 87.03.055, 87.03.060, 87.03.065, and 87.03.070.

Referred to Committee on Agriculture.

HB 1019 by Representatives Tilly, Locke, Patrick, Ballard, Long and Haugen

AN ACT Relating to alcoholic beverages; adding new sections to chapter 66.24 RCW; and prescribing penalties.

Referred to Committee on Commerce & Labor.

HB 1020 by Representative Tilly

AN ACT Relating to automotive safety restraints; amending RCW 46.61.687; and adding a new section to chapter 5.64 RCW.

Referred to Committee on Judiciary.

HB 1021 by Representatives Vekich and Nealey; by Department of Agriculture request

AN ACT Relating to enforcement of pesticide control; adding a new section to chapter 15.58 RCW; adding a new section to chapter 17.21 RCW; and prescribing penalties.

Referred to Committee on Agriculture.

HB 1022 by Representatives Silver, G. Nelson, Hastings, Thomas, Brough, J. Williams, Long, Isaacson, May and L. Smith; by Small Business Improvement Council request

AN ACT Relating to sales and use taxes; adding new sections to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; and creating a new section.

Referred to Committee on Trade & Economic Development.

HB 1023 by Representatives Silver, G. Nelson, Hastings, Thomas, Brough, J. Williams, Long, Isaacson, May and L. Smith; by Small Business Improvement Council request

AN ACT Relating to the business and occupation tax; and amending RCW 82.04.280.

Referred to Committee on Trade & Economic Development.

HB 1024 by Representatives Silver, G. Nelson, Hastings, Thomas, Brough, J. Williams, Sanders, Long, Isaacson, May and L. Smith; by Small Business Improvement Council request

AN ACT Relating to deferral of sales and use taxes; and adding a new chapter to Title 82 RCW.

Referred to Committee on Trade & Economic Development.

HB 1025 by Representatives Silver, G. Nelson, Hastings, Brough, J. Williams, Sanders, Long, Isaacson, May and L. Smith; by Small Business Improvement Council request

AN ACT Relating to deferral of business and occupation taxes for new businesses; and adding new sections to chapter 82.04 RCW.

Referred to Committee on Trade & Economic Development.

HB 1026 by Representatives Silver, G. Nelson, Hastings, Miller, Thomas, Patrick, Brough, Holland, J. Williams, Sanders, Long, Hankins, Isaacson, May, L. Smith and Tilly; by Small Business Improvement Council request

AN ACT Relating to the business and occupation tax; and amending RCW 82.04.300.

Referred to Committee on Ways & Means.

HB 1027 by Representatives Addison, Zellinsky, Sanders, Holland, P. King, Fuhrman, Dobbs, Bond, Van Luven and L. Smith

AN ACT Relating to verification of public assistance eligibility; adding a new chapter to Title 74 RCW; and prescribing penalties.

Referred to Committee on Social & Health Services.

HB 1028 by Representatives J. King and Tanner

AN ACT Relating to superior court revenue; and amending RCW 10.82.070, 27.24.070, and 36.18.025.

Referred to Committee on Local Government.

HB 1029 by Representatives Dobbs, Padden, Hastings, Lewis, Fuhrman, J. Williams, Thomas, Sanders and Bond

AN ACT Relating to health care facilities; and amending RCW 70.38.025.

Referred to Committee on Social & Health Services.

HB 1030 by Representatives Dobbs, Baugher, Ballard, Bristow, Thomas, Vekich, Lundquist, Hargrove, Patrick, Fuhrman, Schmidt and J. Williams

AN ACT Relating to the excise taxation of the production and sale of Christmas trees; and amending RCW 82.04.050 and 82.04.330.

Referred to Committee on Ways & Means.

HB 1031 by Representatives Cole, Hargrove, Fuhrman, Betrozoff, Bristow, Hastings, D. Nelson, B. Williams, Rust, Hankins, Chandler, Walker, Long, Wang, Padden, Thomas, Miller, Bond, C. Smith and Armstrong

AN ACT Relating to the lottery commission; and amending RCW 67.70.040.

Referred to Committee on Commerce & Labor.

HB 1032 by Representatives Hargrove, Dobbs, Basich, McMullen, Haugen, Fuhrman, B. Williams, Schoon, Isaacson, May, Thomas and L. Smith

AN ACT Relating to industrial incentive zones; adding a new chapter to Title 43 RCW; and providing an effective date.

Referred to Committee on Trade & Economic Development.

- HB 1033** by Representatives Hargrove, Basich, Dobbs and McMullen  
AN ACT Relating to economic development; amending RCW 84.33.041 and 84.33.081; adding a new section to chapter 43.63A RCW; and declaring an emergency.  
Referred to Committee on Trade & Economic Development.
- HB 1034** by Representatives Zellinsky, Schmidt, Sayan, Vekich, McMullen, Thomas, Allen, Ebersole, Smitherman, S. Wilson, Lundquist, R. King and Haugen  
AN ACT Relating to community colleges; and amending RCW 28B.50.090.  
Referred to Committee on Higher Education.
- HB 1035** by Representatives Zellinsky and Hine  
AN ACT Relating to water pollution; and adding a new section to chapter 90.48 RCW.  
Referred to Select Committee on the Clean-up and Management of Puget Sound.
- HB 1036** by Representative Fisher  
AN ACT Relating to school counseling and guidance development; adding a new section to chapter 28A.58 RCW; and creating a new section.  
Referred to Committee on Education.
- HB 1037** by Representative Prince  
AN ACT Relating to motor vehicle accident reports; and amending RCW 46.20.171 and 46.52.030.  
Referred to Committee on Transportation.
- HB 1038** by Representatives Valle, Lewis, Betrozoff, L. Smith, Lux, R. King, Unsoeld, Scott, J. King, Miller and Holland  
AN ACT Relating to basic education allocation for vocational education; amending RCW 28A.41.140; and declaring an emergency.  
Referred to Committee on Education.
- HB 1039** by Representatives Schoon, Holland and Brough  
AN ACT Relating to school district levies; reenacting and amending RCW 84.52.0531; and declaring an emergency.  
Referred to Committee on Education.
- HB 1040** by Representatives Schoon, Ebersole, Rayburn, Holland, Brough, Taylor, Miller, Valle, Betrozoff, Chandler, Fuhrman and Long  
AN ACT Relating to school districts; and amending RCW 28A.58.135.  
Referred to Committee on Education.
- HB 1041** by Representative Grimm; by Department of Revenue request  
AN ACT Relating to revenue and excise taxation; amending RCW 82.04.440; and declaring an emergency.  
Referred to Committee on Ways & Means.
- HB 1042** by Representatives Schoon, Brough, Fuhrman and Long  
AN ACT Relating to teacher certification; amending RCW 28A.04.120 and 28A.70.005; and adding new sections to chapter 28A.70 RCW.  
Referred to Committee on Education.
- HB 1043** by Representatives Schoon, B. Williams, Lundquist, Doty and Armstrong  
AN ACT Relating to trade and economic development; amending RCW 43.210.050; creating new sections; making an appropriation; and providing an expiration date.  
Referred to Committee on Trade & Economic Development.
- HB 1044** by Representatives Rayburn, Doty, Baugher, Hastings, Day, Dellwo, Isaacson, Chandler, Brooks and Tilly



AN ACT Relating to plats within irrigation districts; and amending RCW 58.17.310.

Referred to Committee on Agriculture.

HB 1045 by Representatives Appelwick, Barrett, Ebersole, Lewis, Baugher, Fuhrman, Hankins, Dobbs, Madsen, Leonard, Schmidt and Bond

AN ACT Relating to horse racing; amending RCW 67.16.010, 67.16.020, 67.16.050, 67.16.060, 67.16.090, 67.16.100, 67.16.105, 67.16.130, 67.16.170, 67.16.175, 67.16.180, and 67.16.190; and adding new sections to chapter 67.16 RCW.

Referred to Committee on Commerce & Labor.

HB 1046 by Representatives Lux, Ebersole, Patrick, Hankins, Lewis, Thomas, McMullen, Sutherland, Day, Leonard, Holland, P. King and Addison

AN ACT Relating to health care; and amending RCW 48.44.020 and 48.46.060.

Referred to Committee on Financial Institutions & Insurance.

HB 1047 by Representatives Silver, Scott and Long

AN ACT Relating to the authority of counties to engage in economic development; and adding a new section to chapter 36.01 RCW.

Referred to Committee on Local Government.

HB 1048 by Representatives Barrett and Silver

AN ACT Relating to minority and women-owned business enterprises; amending RCW 39.19.010, 39.19.020, 39.19.030, 39.19.070, and 39.19.080; and adding a new section to chapter 39.19 RCW.

Referred to Committee on State Government.

HB 1049 by Representatives Locke, Allen, Jacobsen, Haugen, Grimm and Appelwick

AN ACT Relating to the powers of a metropolitan municipal corporation to collect connection charges; and amending RCW 35.58.200.

Referred to Committee on Local Government.

HB 1050 by Representatives Ballard, Bristow, Barrett and Haugen

AN ACT Relating to industrial insurance; amending RCW 43.22.030, 48.32.020, 51.04-.020, 51.04.030, 51.04.040, 51.04.070, 51.04.085, 51.04.110, 51.08.013, 41.06.070, 51.08.015, 51.12.045, 51.12.050, 51.12.070, 51.12.110, 51.12.120, 51.12.140, 51.12.150, 51.14.010, 51.14.050, 51.14.100, 51.14.110, 51.16.035, 51.16.042, 51.16.070, 51.16.120, 51.16.140, 51.16.150, 51.24.030, 51.24.050, 51.24.060, 51.24.070, 51.24.080, 51.24.090, 51.28.010, 51.28.020, 51.28.025, 51.28.030, 51.28.055, 51.28.070, 51.32.010, 51.32.015, 51.32.030, 51.32.040, 51.32.050, 51.32.055, 51.32.060, 51.32.072, 51.32.073, 51.32.090, 51.32.095, 51.32.110, 51.32.130, 51.32.190, 51.32.200, 51.32.220, 51.32.230, 51.32.240, 51.32.250, 51.36.010, 51.36.020, 51.36.040, 51.36.050, 51.36.060, 51.36.070, 51.36.080, 51.41.030, 51.41.040, 51.41.050, 51.41.060, 51.41.090, 51.41.100, 51.44.010, 51.44.040, 51.44.070, 51.48.010, 51.48.015, 51.48.017, 51.48.020, 51.48.040, 51.48.050, 51.48.060, 51.48.090, 51.48.110, 51.52.030, 51.52.050, 51.52.060, 51.52.070, 51.52.095, 51.52.110, 51.52.120, 51.52.130, and 51.52.150; adding a new section to chapter 48.14 RCW; adding a new section to chapter 48.19 RCW; adding new sections to chapter 51.08 RCW; adding new sections to chapter 51.16 RCW; adding a new section to chapter 51.48 RCW; adding a new chapter to Title 51 RCW; creating new sections; repealing RCW 51.04.090, 51.08.175, 51.12.100, 51.14-.070, 51.16.060, 51.16.090, 51.16.100, 51.16.110, 51.16.130, 51.16.155, 51.16.160, 51.16.170, 51.16.180, 51.16.190, 51.32.210, 51.44.020, 51.44.030, 51.44.050, 51.44.060, 51.44.080, 51.44.090, 51.44.100, 51.44.110, 51.44.140, 51.44.150, and 51.44.160; providing an effective date; and declaring an emergency.

Referred to Committee on Commerce & Labor.

HB 1051 by Representatives Leonard, Sutherland, Sanders, Lux, Haugen, Isaacson, Lundquist, Cole, Thomas, Hankins, K. Wilson, J. Williams, Belcher, D. Nelson, Basich and van Dyke; by Department of Game request

AN ACT Relating to game; creating a new section; and making an appropriation.

Referred to Committee on Natural Resources.

HB 1052 by Representatives Appelwick, S. Wilson, Schmidt, Fisher, Locke, Lundquist, Brække, May, Allen and Isaacson

AN ACT Relating to the expiration of tax exemptions for ride-sharing vehicles; repealing section 5, chapter 166, Laws of 1980 (uncodified); and declaring an emergency.

Referred to Committee on Ways & Means.

HB 1053 by Representatives Haugen, Doty, Hine, Barrett and West

AN ACT Relating to electricians and electrical installations; and amending RCW 19.28.070.

Referred to Committee on Commerce & Labor.

HB 1054 by Representatives Addison, Zellinsky, Sanders, Fuhrman, Dobbs, Bond, Isaacson and L. Smith

AN ACT Relating to the community work and training program; and amending RCW 74.04.477.

Referred to Committee on Social & Health Services.

HB 1055 by Representatives Peery, Ebersole, Wang, Todd, Holland, Long and Isaacson

AN ACT Relating to in-service training; adding a new section to chapter 28A.41 RCW; and making appropriations.

Referred to Committee on Education.

HB 1056 by Representatives Peery, Ebersole, Appelwick, Wang, Todd, Jacobsen, G. Nelson, Holland, J. Williams, Allen and May

AN ACT Relating to school-based management; adding a new section to chapter 28A.03 RCW; adding new sections to chapter 28A.58 RCW; making an appropriation; and providing an expiration date.

Referred to Committee on Education.

HB 1057 by Representatives D. Nelson, Ballard, Braddock, Patrick, Niemi and Lux

AN ACT Relating to vocational education; and amending RCW 72.62.020 and 72.62.050.

Referred to Committee on Social & Health Services.

HB 1058 by Representatives Cole, Brooks and Ballard

AN ACT Relating to the recording of emergency communications; and amending RCW 9.73.030 and 9.73.090.

Referred to Committee on Judiciary.

HB 1059 by Representatives Wineberry, Niemi, Walk, Jacobsen, O'Brien, Haugen, Prince, Locke, Valle, Leonard, Brække, Addison and Barnes

AN ACT Relating to public transit construction projects; adding new sections to chapter 35.58 RCW; and creating a new section.

Referred to Committee on Local Government.

HB 1060 by Representatives Appelwick, Hastings, Sommers and Tilly

AN ACT Relating to the taxation of food fish and shellfish; amending RCW 82.27.020, 82.27.030, and 82.27.040; reenacting and amending RCW 82.27.010; and creating a new section.

Referred to Committee on Ways & Means.

HB 1061 by Representatives Rayburn, Nealey, Day, Lewis, Dellwo, Doty, Isaacson, Baugher, Tanner, Haugen, Ebersole, Armstrong and Wang

AN ACT Relating to international trade assistance; amending RCW 43.210.010, 43.210.020, 43.210.030, 43.210.040, and 43.210.050; amending section 7, chapter 20, Laws of 1983 1st ex. sess. (uncodified); creating new sections; and declaring an emergency.

Referred to Committee on Trade & Economic Development.

HB 1062 by Representatives Rayburn, Valle, L. Smith, Baugher, Kremen, Tanner, Fisch, K. Wilson, Ebersole, Armstrong, Todd and Wang

AN ACT Relating to the creation of a small business ombudsman; adding new sections to chapter 43.31 RCW; providing an expiration date; and making an appropriation.

Referred to Committee on Trade & Economic Development.

HB 1063 by Representatives Rayburn, C. Smith, McMullen, Vekich, West, Sayan, Hastings, Ballard, Lewis, Isaacson, Baugher, Kremen, Fuhrman, Nealey, J. Williams, Haugen and Armstrong

AN ACT Relating to agricultural marketing; amending section 1, chapter 57, Laws of 1984 (uncodified); amending section 2, chapter 57, Laws of 1984 (uncodified); amending section 3, chapter 57, Laws of 1984 (uncodified); amending section 6, chapter 57, Laws of 1984 (uncodified); amending section 7, chapter 57, Laws of 1984 (uncodified); adding new sections to chapter 28B.30 RCW; repealing section 4, chapter 57, Laws of 1984 (uncodified); repealing section 5, chapter 57, Laws of 1984 (uncodified); repealing section 8, chapter 57, Laws of 1984 (uncodified); providing an effective date; and declaring an emergency.

Referred to Committee on Trade & Economic Development.

HB 1064 by Representatives Rayburn, Long, Holland, Valle, Ebersole, Cole, Todd, L. Smith, Chandler, Walker, Hastings, Addison, Vander Stoep and K. Wilson

AN ACT Relating to teacher preparation; amending RCW 28A.04.120 and 28A.70.005; and adding new sections to chapter 28A.70 RCW.

Referred to Committee on Education.

HB 1065 by Representatives Rayburn, Long, Cole, McMullen, Betzoff, K. Wilson, Haugen and Todd

AN ACT Relating to in-service training; and making an appropriation.

Referred to Committee on Education.

HB 1066 by Representatives Rayburn, Bristow, McMullen, Day, Vekich, Hargrove, Lundquist, Wineberry, C. Smith, Fisch, Wang, Baugher, Valle, Ballard, G. Nelson, Sanders, Isaacson, May and Basich

AN ACT Relating to excise tax deferral; adding a new chapter to Title 82 RCW; repealing RCW 82.04.435; providing an effective date; and declaring an emergency.

Referred to Committee on Trade & Economic Development.

HB 1067 by Representatives Smitherman, Wang, Nutley, Hine and Unsoeld

AN ACT Relating to port districts; and adding a new section to chapter 53.04 RCW.

Referred to Committee on Local Government.

HB 1068 by Representatives Smitherman, Zellinsky, Wang, Schmidt, J. King, Vekich, G. Nelson, Thomas, May and Hine

AN ACT Relating to shellfish; adding new sections to chapter 90.58 RCW; and making appropriations.

Referred to Select Committee on the Clean-up and Management of Puget Sound.

HB 1069 by Representative Smitherman

AN ACT Relating to forest practices; adding a new section to chapter 76.09 RCW; and repealing RCW 76.09.210, 76.09.220, and 76.09.230.

Referred to Committee on Natural Resources.

HB 1070 by Representatives Day, Padden, Fisch, Dellwo, Sanders and Isaacson

AN ACT Relating to business development; adding a new chapter to Title 82 RCW; and providing an expiration date.

Referred to Committee on Trade & Economic Development.

HB 1071 by Representatives Addison, P. King, Valle, Scott, Sanders, Isaacson, Long, Kremen and Winsley

AN ACT Relating to missing children; adding a new section to chapter 28A.03 RCW; adding new sections to chapter 43.43 RCW; and making appropriations.

Referred to Committee on Social & Health Services.

HB 1072 by Representatives Addison, West, Long and Winsley

AN ACT Relating to higher education fees; and amending RCW 28B.15.380.

Referred to Committee on Higher Education.

HB 1073 by Representatives R. King, Patrick, Sayan, Cole, Walker, Wang, Fisch, Sanders and Winsley

AN ACT Relating to minimum wage; and adding a new section to chapter 49.46 RCW.

Referred to Committee on Commerce & Labor.

HB 1074 by Representatives Peery, West, Belcher, Wang, Bristow, Leonard, Dellwo, Haugen, Basich and Unsoeld; by Governor Gardner request

AN ACT Relating to state employees' insurance; amending RCW 41.05.025; and declaring an emergency.

Referred to Committee on State Government.

HB 1075 by Representatives Valle, Lewis, Leonard, Tilly and Unsoeld; by Governor Gardner request

AN ACT Relating to health education; adding a new chapter to Title 70 RCW; and creating a new section.

Referred to Committee on Social & Health Services.

HB 1076 by Representatives Niemi, Holland, J. King, Leonard, Cole, Dellwo and Haugen; by Governor Gardner request

AN ACT Relating to state employees' insurance and health care; and amending RCW 41.05.025 and 48.46.180.

Referred to Committee on Ways & Means.

HB 1077 by Representatives Niemi, Lewis, Holland, J. King, Leonard, Cole, R. King, Winsley and Wineberry; by Governor Gardner request

AN ACT Relating to health care cost control; and adding a new chapter to Title 70 RCW.

Referred to Committee on Ways & Means.

HB 1078 by Representatives P. King, Betzoff, Smitherman, Wang, Leonard, Vekich, Cole, Jacobsen, Basich, Appelwick, R. King, Tilly, Winsley, Armstrong and Todd; by Governor Gardner request

AN ACT Relating to early childhood education and assistance; creating new sections; making appropriations; providing effective dates; providing expiration dates; and declaring an emergency.

Referred to Committee on Education.

HB 1079 by Representatives Peery, Holland, Hargrove, Bristow, Vekich, Haugen, Basich, B. Williams, Schoon, Fisch, Ballard, Betzoff, Sanders, Isaacson, Long, Doty, May, Thomas, L. Smith, Kremen, O'Brien, Wang and Tilly; by Governor Gardner request

AN ACT Relating to sales and use tax deferral; adding a new chapter to Title 82 RCW; providing an expiration date; providing an effective date; and declaring an emergency.

Referred to Committee on Trade & Economic Development.

HB 1080 by Representatives J. King, G. Nelson, Cole, Haugen, Basich, Silver, B. Williams, Taylor, Lundquist and Ballard; by Governor Gardner request

AN ACT Relating to exemptions from state civil service; and amending RCW 41.06.070.

Referred to Committee on State Government.

HB 1081 by Representatives Grimm, G. Nelson, Wang, Cole, Dellwo, Miller, Hine and K. Wilson; by Governor Gardner request

AN ACT Relating to the financing of water pollution control facilities and systems; and adding a new chapter to Title 43 RCW.

Referred to Select Committee on the Clean-up and Management of Puget Sound.

HB 1082 by Representatives Bristow, Wang, Patrick, McMullen, R. King, Sayan, K. Wilson and Haugen; by Joint Select Committee on Workers' Compensation request

AN ACT Relating to retrospective and experience rating for accident and medical aid fund premiums under industrial insurance; amending RCW 51.16.035 and 74.46.180; and adding a new section to chapter 51.44 RCW.

Referred to Committee on Commerce & Labor.

HB 1083 by Representatives R. King, Wang, Patrick, McMullen, Bristow, Fisch and Gallagher; by Joint Select Committee on Workers' Compensation request

AN ACT Relating to the activities of the workers' compensation advisory committee; and adding a new section to chapter 51.04 RCW.

Referred to Committee on Commerce & Labor.

HB 1084 by Representatives R. King, Wang, Patrick, McMullen, Sayan, Basich, Fisch, Gallagher, Ballard, Winsley, Hine, Ebersole, Todd and Dellwo; by Joint Select Committee on Workers' Compensation request

AN ACT Relating to vocational rehabilitation; amending RCW 51.41.030, 51.41.040, 51.41.060, 51.41.070, and 51.32.250; and adding new sections to chapter 51.41 RCW.

Referred to Committee on Commerce & Labor.

HB 1085 by Representatives Rayburn, Patrick, Baugher, Wang, McMullen, R. King, Bristow, Sayan, Basich, Peery, Fisch, Leonard, Gallagher, Ballard, Cole, Unsoeld, Winsley, K. Wilson, Haugen, Ebersole, Wineberry, Todd, Dellwo and Armstrong; by Joint Select Committee on Workers' Compensation request

AN ACT Relating to prompt actions by the department of labor and industries; amending RCW 51.36.080; and adding a new section to chapter 51.28 RCW.

Referred to Committee on Commerce & Labor.

HB 1086 by Representatives Fisch, R. King, Patrick, Wang, McMullen, Sayan and Gallagher; by Joint Select Committee on Workers' Compensation request

AN ACT Relating to benefits provided to injured workers; amending RCW 51.08.100, 51.08.140, 51.32.050, 51.32.060, 51.32.080, and 51.32.220; and adding a new section to chapter 51.32 RCW.

Referred to Committee on Commerce & Labor.

HB 1087 by Representatives Wang, Patrick, Sayan, R. King and McMullen; by Joint Select Committee on Workers' Compensation request

AN ACT Relating to administrative procedures of the board of industrial insurance appeals; amending RCW 51.52.100 and 51.52.095; and adding a new section to chapter 51.52 RCW.

Referred to Committee on Commerce & Labor.

HB 1088 by Representatives Wang, Patrick, McMullen, R. King and Sayan; by Joint Select Committee on Workers' Compensation request

AN ACT Relating to appellate jurisdiction in industrial insurance tax assessment actions; and amending RCW 51.16.160 and 51.52.050.

Referred to Committee on Commerce & Labor.

HB 1089 by Representatives McMullen, R. King, Patrick, Wang and Sayan; by Joint Select Committee on Workers' Compensation request

AN ACT Relating to industrial insurance penalties; amending RCW 51.28.025, 51.48-.010, 51.48.017, 51.48.030, 51.48.040, 51.48.060, and 51.48.080; and adding new sections to chapter 51.48 RCW.

Referred to Committee on Commerce & Labor.

HB 1090 by Representatives Wang, R. King, Patrick, McMullen and Sayan; by Joint Select Committee on Workers' Compensation request

AN ACT Relating to workers' compensation benefits, offsets and insuring workers' compensation benefits through self-insurance; amending RCW 51.08.100, 51.08.140, 51.32-.050, 51.32.060, 51.32.080, 51.32.220, 51.14.010, 51.14.020, 51.14.070, 51.14.150, 51.14.160, 51.32.055, and 51.44.150; and adding a new section to chapter 51.32 RCW.

Referred to Committee on Commerce & Labor.

HB 1091 by Representatives Sayan, Addison, O'Brien, Sanders, D. Nelson, Lewis, R. King, Jacobsen, Todd and Lux

AN ACT Relating to participation and communication in the centennial observance by organizations and citizens; adding new sections to chapter 27.60 RCW; and providing an expiration date.

Referred to Committee on Trade & Economic Development.

HB 1092 by Representatives Betzoff and Patrick

AN ACT Relating to hours of labor; and adding a new section to chapter 49.12 RCW.

Referred to Committee on Commerce & Labor.

HB 1093 by Representative Betzoff

AN ACT Relating to levies for school purposes; amending RCW 84.52.053; adding a new section to chapter 84.52 RCW; repealing RCW 84.52.0531; and providing a contingent effective date.

Referred to Committee on Education.

HB 1094 by Representatives L. Smith, Dellwo, Brooks, Schmidt, Rayburn and Bond

AN ACT Relating to identicards; and amending RCW 46.20.117.

Referred to Committee on Transportation.

HB 1095 by Representatives L. Smith, Padden, Brooks, B. Williams, Schoon, Addison, Taylor, Ballard, Vander Stoep, Walker, Betzoff, Sanders and May

AN ACT Relating to temporary disabled parking permits; adding a new section to chapter 46.16 RCW; and providing an expiration date.

Referred to Committee on Transportation.

HB 1096 by Representatives L. Smith, Schoon, Hastings, Schmidt, Bond, Ballard and Isaacson

AN ACT Relating to surface mining; and amending RCW 78.44.110.

Referred to Committee on Natural Resources.

HB 1097 by Representatives L. Smith, Bond, Dobbs, J. Williams, Sanders and Isaacson

AN ACT Relating to self defense; and amending RCW 9.01.200.

Referred to Committee on Judiciary.

HB 1098 by Representatives L. Smith, Locke, Padden, Rayburn, Brooks, Brough, Schmidt, Allen and Bond

AN ACT Relating to arrest without warrant; and amending RCW 10.31.100.

Referred to Committee on Judiciary.

HB 1099 by Representatives Betrozoff, Vander Stoep, Long, Walk, Chandler, Miller and Sanders

AN ACT Relating to excise taxation of returnable containers; adding a new section to chapter 82.04 RCW; and providing an effective date.

Referred to Committee on Ways & Means.

HB 1100 by Representatives Betrozoff, Ebersole, Walker and Holland

AN ACT Relating to basic education; and amending RCW 28A.41.140.

Referred to Committee on Education.

HB 1101 by Representatives Long, Haugen, Allen, Hine, Holland, Silver and Hankins

AN ACT Relating to cities and towns; and adding a new section to chapter 36.93 RCW.

Referred to Committee on Local Government.

HB 1102 by Representatives Long, D. Nelson, Sutherland and Miller

AN ACT Relating to charges for utility services; adding a new section to chapter 35.92 RCW; adding a new section to chapter 54.16 RCW; and adding a new section to chapter 80.04 RCW.

Referred to Committee on Energy & Utilities.

HB 1103 by Representatives Long, Holland and Ebersole

AN ACT Relating to the formula for the distribution of basic education funds; amending RCW 28A.41.140; and declaring an emergency.

Referred to Committee on Education.

HB 1104 by Representatives Long, Holland, Ebersole, Rayburn and May

AN ACT Relating to early childhood education; amending RCW 28A.41.130; adding a new section to chapter 28A.58 RCW; and making an appropriation.

Referred to Committee on Education.

HB 1105 by Representatives Long, Rayburn, Holland, Cole, Ebersole, Rust, Walker, Fuhrman, Jacobsen, Miller, Scott, Isaacson, May and Todd

AN ACT Relating to reduction of the student per classroom teacher ratio in grades kindergarten through three; creating a new section; and making an appropriation.

Referred to Committee on Education.

HB 1106 by Representatives Long, Rayburn, Holland, Ebersole, Betrozoff, Walk, Walker, Isaacson, May and Todd

AN ACT Relating to the student to teacher ratio; and adding a new section to chapter 28A.58 RCW.

Referred to Committee on Education.

HB 1107 by Representatives Long, Armstrong, Walk, Betrozoff, Brough, Tilly, Holland, Tanner, Silver, Schmidt, Wineberry, Taylor, Patrick, Cole, Walker, Sanders and May

AN ACT Relating to prerequisites for the issuance of vehicle licenses; and amending RCW 46.12.020.

Referred to Committee on Transportation.

HB 1108 by Representatives Todd, R. King, Grimm, Fisher, D. Nelson and Lux

AN ACT Relating to revenue and taxation; amending RCW 82.03.130, 82.03.140, and 82.03.180; adding a new title to the Revised Code of Washington to be numbered Title 82A RCW; adding a new section to chapter 82.04 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Ways & Means.

HB 1109 by Representatives Todd, Madsen and Ebersole

AN ACT Relating to horses; and creating a new section.

Referred to Committee on Agriculture.

HB 1110 by Representatives Todd and Lux

AN ACT Relating to electricians and electrical installations; and amending RCW 19.28.530.

Referred to Committee on Commerce & Labor.

HB 1111 by Representatives Todd and Armstrong

AN ACT Relating to mobile home landlord-tenant relations; amending RCW 46.44-.170; and adding new sections to chapter 59.20 RCW.

Referred to Committee on Judiciary.

HB 1112 by Representatives Todd and Unsoeld

AN ACT Relating to uniform building codes; and amending RCW 19.27.030.

Referred to Committee on State Government.

HB 1113 by Representatives Todd, Long, Ebersole, Wang, Valle, Rayburn, Peery and Holland

AN ACT Relating to teacher compensation and evaluation; amending RCW 28A.67-.065; creating new sections; making an appropriation; and providing an expiration date.

Referred to Committee on Education.

HB 1114 by Representatives Todd, Allen, Long, D. Nelson and Unsoeld

AN ACT Relating to energy-related building standards; amending RCW 19.27.030, 19.27.070, and 19.27.075; adding new sections to chapter 19.27 RCW; repealing RCW 19.27.200, 19.27.210, 19.27.220, 19.27.230, 19.27.240, 19.27.250, 19.27.260, 19.27.270, 19.27.280, 19.27.290, 19.27.300, 19.27.310, and 19.27.905; providing effective dates; and declaring an emergency.

Referred to Committee on Energy & Utilities.

HB 1115 by Representative P. King

AN ACT Relating to felons; and adding a new section to chapter 70.48 RCW.

Referred to Committee on Social & Health Services.

HB 1116 by Representatives Dry, Padden, Dellwo, Silver, Barrett, Taylor, Haugen, Isaacson, J. King, Bond, West and Fuhrman

AN ACT Relating to the protection of subterranean water; and creating a new section.

Referred to Committee on Environmental Affairs.

HB 1117 by Representatives Todd and Unsoeld

AN ACT Relating to the preservation of universal telecommunications service and the protection of basic voice grade telecommunications service; and adding new sections to chapter 80.04 RCW.

Referred to Committee on Energy & Utilities.

HB 1118 by Representatives P. King, R. King and Addison



AN ACT Relating to education about the prevention of child abuse; and amending RCW 28A.02.201 and 28A.05.010.

Referred to Committee on Education.

HB 1119 by Representative Bond

AN ACT Relating to nursing home auditing and reimbursement; amending RCW 74.46.640; and adding a new section to chapter 74.46 RCW.

Referred to Committee on Social & Health Services.

HB 1120 by Representatives Silver, Bond, Padden, Addison and West

AN ACT Relating to public records; and amending RCW 42.17.310.

Referred to Committee on State Government.

HB 1121 by Representatives Padden, Hargrove, Fuhrman, Dobbs, Bristow, Addison, Bond, West, Patrick, Holland, J. Williams and Isaacson

AN ACT Relating to prohibiting causes of action for wrongful life and wrongful birth; prohibiting a defense, an award of damages, or a penalty based on the failure or refusal to prevent a live birth; and adding new sections to chapter 4.24 RCW.

Referred to Committee on Social & Health Services.

HB 1122 by Representatives Padden, Taylor and Bond

AN ACT Relating to open burning of seed grass; and amending RCW 70.94.656.

Referred to Committee on Agriculture.

HB 1123 by Representatives Bond, Fuhrman, J. Williams, Van Luven, Dobbs, Isaacson, van Dyke, Patrick, B. Williams, Sanders, Barnes, May, L. Smith and Hastings

AN ACT Relating to the English language; and adding a new section to chapter 1.20 RCW.

Referred to Committee on State Government.

HB 1124 by Representatives Bond, van Dyke, Padden, J. Williams, Barnes and Isaacson

AN ACT Relating to attorneys' fees in civil cases; amending RCW 4.84.250; creating a new section; and repealing RCW 4.84.080.

Referred to Committee on Judiciary.

HB 1125 by Representatives Bond, Padden and Addison

AN ACT Relating to recall of public officials; and adding a new chapter to Title 42 RCW.

Referred to Committee on Constitution, Elections & Ethics.

HB 1126 by Representatives Bond, Fuhrman and J. Williams

AN ACT Relating to noncomparable worth; amending RCW 28B.16.020, 28B.16.100, 41.06.020, and 41.06.150; and repealing RCW 28B.16.116 and 41.06.155.

Referred to Committee on State Government.

HB 1127 by Representatives Locke, Sommers, Long, Niemi, Holland and Taylor

AN ACT Relating to the business and occupation tax on wholesalers; and amending RCW 82.04.270.

Referred to Committee on Ways & Means.

HB 1128 by Representative B. Williams

AN ACT Relating to the state public pension commission; amending RCW 41.52.010, 41.52.020, and 41.52.040; and adding a new section to chapter 41.52 RCW.

Referred to Committee on Ways & Means.

HB 1129 by Representatives O'Brien, G. Nelson and May

AN ACT Relating to business improvement areas; and amending RCW 35.87A.010, 35.87A.030, 35.87A.050, 35.87A.060, 35.87A.080, 35.87A.090, 35.87A.100, and 35.87A.140.

Referred to Committee on Local Government.

HB 1130 by Representative G. Nelson, Walk, J. Williams and Fisher

AN ACT Relating to public transit; amending RCW 36.57.050; adding a new section to chapter 36.57 RCW; and adding new sections to chapter 36.57A RCW.

Referred to Committee on Transportation.

HB 1131 by Representatives West, Dellwo, Day, Lewis, Barrett, Miller, Chandler, Braddock, Tanner, Silver, Crane and Bond

AN ACT Relating to members of the legislature; adding a new section to chapter 44.04 RCW; and creating a new section.

Referred to Committee on State Government.

HB 1132 by Representatives West, Taylor and Barrett

AN ACT Relating to highway projects; and creating a new section.

Referred to Committee on Transportation.

HB 1133 by Representatives West, B. Williams, Crane, Silver, Smitherman, Patrick, Zellinsky, Bond, P. King, Sanders, Padden, Barrett, Thomas, G. Nelson, Hastings, May and C. Smith

AN ACT Relating to gubernatorial appointees; and amending RCW 43.06.092 and 43.06.094.

Referred to Committee on State Government.

HB 1134 by Representatives West, G. Nelson, Lewis, Isaacson and May

AN ACT Relating to the department of social and health services; and adding a new section to chapter 43.20A RCW.

Referred to Committee on Social & Health Services.

HB 1135 by Representatives Zellinsky, Kremen, Haugen, Hargrove, Smitherman, Bristow, Crane, Valle, Baugher, Peery, Scott, Braddock, Day, Todd and Addison

AN ACT Relating to public assistance; adding a new chapter to Title 74 RCW; and declaring an emergency.

Referred to Committee on Social & Health Services.

HB 1136 by Representatives Valle, Hargrove, Fisch, R. King, Ebersole, Kremen, Scott, Bristow, Crane, Baugher, Rayburn and Todd

AN ACT Relating to juveniles; and adding new sections to chapter 13.40 RCW.

Referred to Committee on Judiciary.

HB 1137 by Representatives Scott, Bristow, Peery, Jacobsen, Crane, Padden, Day, Lux and Todd

AN ACT Relating to dispute resolution; creating new sections; and declaring an emergency.

Referred to Committee on Judiciary.

HB 1138 by Representatives Rayburn, Crane, Bristow, Zellinsky, Tilly, Fisch, K. Wilson, Ebersole, McMullen, Baugher, Tanner, Scott, Kremen, Day, Todd, Brough, Holland, Unsoeld and Hargrove

AN ACT Relating to the insanity defense; and adding a new chapter to Title 10 RCW.

Referred to Committee on Judiciary.

HB 1139 by Representatives C. Smith, J. Williams, B. Williams and Bond

AN ACT Relating to motor freight carriers; amending RCW 81.80.040, 81.80.060, 81.80.070, 81.80.130, 81.80.150, 81.80.190, 81.80.211, 81.80.260, 81.80.355, 81.80.371, 81.80.400, 81.80.410, 81.04.010, 81.04.110, 81.04.130, 81.04.150, 81.04.250, and 81.04.450; adding new

sections to chapter 81.80 RCW; repealing RCW 81.80.020, 81.80.140, and 81.80.175; and prescribing penalties.

Referred to Committee on Transportation.

HB 1140 by Representatives Fisch, Hargrove, Bristow, B. Williams, Jacobsen, Locke, Baugher, Lux, Walk, Sayan, Scott, K. Wilson, Zellinsky, Rayburn, Kremen and Smitherman.

AN ACT Relating to state agency redesign and reorganization; creating new sections; and declaring an emergency.

Referred to Committee on State Government.

HB 1141 by Representatives Ebersole, Betrozoff, Cole, Sanders, Long and Wang

AN ACT Relating to excess school levies; reenacting and amending RCW 84.52.0531; and creating a new section.

Referred to Committee on Education.

HB 1142 by Representatives Kremen, Bristow, Jacobsen, Peery, Lux and Todd

AN ACT Relating to unfair business practices; and adding a new section to chapter 19.86 RCW.

Referred to Committee on Judiciary.

HB 1143 by Representatives Cole, Betrozoff and Holland

AN ACT Relating to public school in-service training; and amending RCW 28A.71.210.

Referred to Committee on Education.

HB 1144 by Representatives Cole, Holland and Long

AN ACT Relating to basic education allocations; amending RCW 28A.41.140; and declaring an emergency.

Referred to Committee on Education.

HB 1145 by Representative Cole

AN ACT Relating to employees' insurance and health care; and amending RCW 41.05.050.

Referred to Committee on State Government.

HB 1146 by Representatives R. King, S. Wilson, Ballard, Barrett, Smitherman, Bond, Sutherland, Holland, Nutley, Gallagher, West, Fuhrman, P. King, Miller, Hankins, Hastings, Tilly, Ebersole, Isaacson, Padden, G. Nelson and May

AN ACT Relating to fireworks; amending RCW 70.77.126, 70.77.131, 70.77.136, 70.77.177, 70.77.250, 70.77.265, 70.77.270, 70.77.280, 70.77.315, 70.77.355, 70.77.435, 70.77.450, 70.77.525, and 35.22.280; adding new sections to chapter 70.77 RCW; prescribing penalties; and declaring an emergency.

Referred to Committee on Commerce & Labor.

HB 1147 by Representatives Barnes, Isaacson, Hastings, Sanders, B. Williams and G. Nelson

AN ACT Relating to child abuse and dependency proceedings; amending RCW 13.04.030, 13.04.040, 13.04.093, 13.04.450, 13.32A.040, 13.32A.050, 13.32A.060, 13.32A.070, 13.32A.090, 13.32A.130, 13.34.030, 13.34.055, 13.34.070, 13.34.090, 13.34.100, 13.34.110, 13.34.130, 26.12.170, 26.44.010, 26.44.020, 26.44.030, 26.44.040, 26.44.050, 26.44.053, 26.44.056, 26.44.060, 26.44.070, 26.44.080, 74.13.031, and 74.15.030; reenacting and amending RCW 13.34.060; recodifying RCW 26.44.010, 26.44.020, 26.44.030, 26.44.040, 26.44.050, 26.44.053, 26.44.056, 26.44.060, 26.44.070, 26.44.080, and 26.44.900; repealing RCW 13.32A.100, 13.32A.120, 13.32A.140, 13.32A.150, 13.32A.160, 13.32A.170, 13.32A.175, 13.32A.180, 13.32A.190, 13.32A.200, and 13.34.050; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1148 by Representatives Belcher, Locke, Armstrong, Valle, Fisher, Crane, Wang, R. King, Tanner, Allen, Miller, Long, Brekke, Niemi, Lewis, Cole, Leonard, Wineberry and Van Luven

AN ACT Relating to strip searches and body cavity searches; amending RCW 10.79.110; and adding new sections to chapter 10.79 RCW.

Referred to Committee on Judiciary.

HB 1149 by Representatives Wineberry, Allen, Wang, Brekke, Cole and Lux

AN ACT Relating to the death penalty; and amending RCW 10.95.030.

Referred to Committee on Judiciary.

HB 1150 by Representatives Leonard, Allen, Belcher, Armstrong, Fisch, Fisher, P. King, R. King, Miller, Brekke, Cole, Wineberry and Lux; by Secretary of State request

AN ACT Relating to the restoration of civil rights; amending RCW 29.07.080, 9.95.260, and 9.96.050; and adding a new section to chapter 9.96 RCW.

Referred to Committee on Judiciary.

HB 1151 by Representatives R. King, Wineberry, Brekke, Belcher, Fisher, Allen and Cole

AN ACT Relating to lie detectors; amending RCW 49.44.120 and 49.44.130; and prescribing penalties.

Referred to Committee on Commerce & Labor.

HB 1152 by Representatives West, Belcher, Allen, P. King, Brekke, Cole, Wineberry, Patrick, Lux, Miller, Armstrong, Padden, G. Nelson, Van Luven and Scott

AN ACT Relating to the death penalty; and amending RCW 7.68.020 and 7.68.070.

Referred to Committee on Judiciary.

HB 1153 by Representatives Fisher, Madsen, Barrett, Barnes, Miller, Vander Sloep, Betzoff, Sanders, Hargrove, Wineberry and Brough; by Secretary of State request

AN ACT Relating to accessibility of polling places and voter registration facilities; amending RCW 29.57.010, 29.57.030, and 29.48.007; adding a new section to chapter 29.07 RCW; adding new sections to chapter 29.57 RCW; repealing RCW 29.57.020 and 29.57.060; declaring an emergency; and providing effective dates.

Referred to Committee on Constitution, Elections & Ethics.

HB 1154 by Representatives Hargrove, Wang, Patrick, McMullen and Sayan; by Joint Select Committee on Workers' Compensation request

AN ACT Relating to self-insurance; and amending RCW 51.14.010, 51.14.020, 51.14.070, 51.14.150, 51.14.160, 51.32.055, and 51.44.150.

Referred to Committee on Commerce & Labor.

HB 1155 by Representatives Gallagher and Ebersole

AN ACT Relating to veterans' preference; and amending RCW 41.04.010.

Referred to Committee on State Government.

HB 1156 by Representatives Gallagher, Ebersole and R. King

AN ACT Relating to veterans; and amending RCW 41.06.150 and 28B.16.100.

Referred to Committee on State Government.

HB 1157 by Representatives Niemi, Silver, Locke and Holland

AN ACT Relating to establishing a technology-based incubator facility; and creating new sections.

Referred to Committee on Trade & Economic Development.

HB 1158 by Representatives Ebersole, Valle, Schoon, Holland, Long and May

AN ACT Relating to remediation; and amending RCW 28A.41.404 and 28A.41.406.

Referred to Committee on Education.

HB 1159 by Representatives Fuhrman, Dobbs, B. Williams and L. Smith

AN ACT Relating to property taxation; and amending RCW 84.36.020.

Referred to Committee on Ways & Means.

HB 1160 by Representatives Addison, Sanders, May and Kremen

AN ACT Relating to state government; creating a new chapter in Title 1 RCW; adding a new section to chapter 28B.19 RCW; adding a new section to chapter 34.04 RCW; adding a new section to chapter 44.04 RCW; creating a new section; and providing an effective date.

Referred to Committee on State Government.

HB 1161 by Representative Leonard

AN ACT Relating to juveniles; and amending RCW 13.40.025, 13.40.160, and 13.50.050.

Referred to Committee on Judiciary.

HB 1162 by Representatives Belcher, Allen, R. King, Unsoeld, Lux and Fisch

AN ACT Relating to state employees' union security provisions; and amending RCW 41.06.150 and 28B.16.100.

Referred to Committee on Commerce & Labor.

HB 1163 by Representatives Sayan, Allen, R. King, Unsoeld, Lux and Fisch

AN ACT Relating to public employees; amending RCW 41.06.150, 41.06.155, 41.06.160, 41.06.167, 41.06.170, 41.56.020, 41.56.030, 28B.16.100, 28B.16.116, and 28B.16.120; adding a new section to chapter 41.58 RCW; adding a new chapter to Title 43 RCW; creating new sections; and providing an effective date.

Referred to Committee on State Government.

HB 1164 by Representatives Addison, P. King, Sanders, Holland and Hastings

AN ACT Relating to interest on unpaid public contracts; and amending RCW 39.76.010.

Referred to Committee on State Government.

HB 1165 by Representatives Brooks, Ballard, Doty, B. Williams, L. Smith, Silver, S. Wilson, Dobbs, Walker and May

AN ACT Relating to immunity from implied warranties and civil liability for blood transfusions; and amending RCW 70.54.120.

Referred to Committee on Social & Health Services.

HB 1166 by Representatives Brooks, Ballard, Doty, Lewis, May, S. Wilson, Dobbs and Walker

AN ACT Relating to the licensing and discipline of physicians and physicians' assistants; amending RCW 18.71.010, 18.71.015, 18.71.020, 18.71.025, 18.71.050, 18.71.051, 18.71.230, 18.71A.070, 18.72.100, 18.72.135, 18.72.155, 18.72.245, 18.72.250, 18.72.270, 18.72.380, 18.72.400, 43.24.020, 43.24.072, and 43.24.086; reenacting and amending RCW 18.71.040 and 18.71.080; and adding new sections to chapter 18.71 RCW.

Referred to Committee on Social & Health Services.

HB 1167 by Representatives Wineberry, Grimm and Niemi

AN ACT Relating to the classification and valuation of multiple-unit buildings devoted primarily to low-income housing at current use value; adding a new chapter to Title 84 RCW; and providing a contingent effective date.

Referred to Committee on Ways & Means.

HB 1168 by Representative Lux

AN ACT Relating to nursing home insurance; adding a new chapter to Title 48 RCW; and creating a new section.

Referred to Committee on Financial Institutions & Insurance.

HB 1169 by Representatives Lux, Winsley, J. King, Wineberry, D. Nelson, Sayan, Todd and Niemi

AN ACT Relating to financial institutions; amending RCW 30.04.210; adding new sections to chapter 30.04 RCW; creating a new chapter in Title 30 RCW; creating a new

chapter in Title 32 RCW; creating a new chapter in Title 33 RCW; creating a new section; and providing an effective date.

Referred to Committee on Financial Institutions & Insurance.

HB 1170 by Representatives Lux, Wang, Rust, Ebersole, Valle, Cole, Scott, D. Nelson, Unsoeld, Leonard, Sayan, Wineberry, Hine, Fisher and Todd

AN ACT Relating to hazardous substances; and adding new sections to chapter 49.70 RCW.

Referred to Committee on Environmental Affairs.

HB 1171 by Representative Lux

AN ACT Relating to cashing of government-issued checks or warrants; amending RCW 43.08.135; and adding a new section to chapter 66.16 RCW.

Referred to Committee on Financial Institutions & Insurance.

HB 1172 by Representatives Lux and Wang

AN ACT Relating to insurance; adding a new section to chapter 48.30 RCW; and providing an effective date.

Referred to Committee on Financial Institutions & Insurance.

HB 1173 by Representatives Lux, Leonard, Ebersole, Cole, Jacobsen and Scott

AN ACT Relating to the nonprofit meal program for the elderly; and amending RCW 28A.58.722.

Referred to Committee on Education.

HB 1174 by Representatives Lux and D. Nelson

AN ACT Relating to health care costs; adding a new section to chapter 70.54 RCW; and providing an effective date.

Referred to Committee on Social & Health Services.

HB 1175 by Representative Lux

AN ACT Relating to dangerous materials; adding new sections to chapter 35.21 RCW; and adding new sections to chapter 36.32 RCW.

Referred to Committee on Local Government.

HB 1176 by Representative Lux

AN ACT Relating to real estate fund accounts; and amending RCW 18.85.310.

Referred to Committee on Commerce & Labor.

HB 1177 by Representative Lux

AN ACT Relating to hazardous waste; adding a new section to chapter 70.105 RCW; and creating a new section.

Referred to Committee on Environmental Affairs.

HB 1178 by Representative Lux

AN ACT Relating to voting; and amending RCW 29.10.123.

Referred to Committee on Constitution, Elections & Ethics.

HB 1179 by Representatives J. Williams, May, Sanders, Schmidt, Bond, Dobbs, van Dyke, G. Nelson and Isaacson

AN ACT Relating to delinquent excise taxes; and adding a new section to chapter 82.32 RCW.

Referred to Committee on Ways & Means.

HB 1180 by Representatives J. Williams, Schoon, May, Ebersole, Holland, Betrozoff, Long and Walker

AN ACT Relating to business and occupation taxation; adding a new section to chapter 82.04 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 1181 by Representatives Locke, Scott, Niemi, Schmidt and G. Nelson; by Attorney General request

AN ACT Relating to criminal profiteering; amending RCW 9A.82.010, 9A.82.060, 9A.82.100, 9A.82.120, 9A.82.130, 9A.82.140, 9A.82.150, 9A.82.160, and 9A.82.170; adding a new section to chapter 9A.82 RCW; prescribing penalties; making an appropriation; declaring an emergency; and providing an effective date.

Referred to Committee on Judiciary.

HB 1182 by Representatives J. King, S. Wilson, Haugen, Fisher, Gallagher, O'Brien, K. Wilson, McMullen, Hankins, Betzoff, Schoon, Jacobsen, Miller, Isaacson and Tilly; by Washington Traffic Safety Commission request

AN ACT Relating to motor vehicle safety restraints; amending RCW 46.61.687; creating new sections; and prescribing penalties.

Referred to Committee on Transportation.

HB 1183 by Representatives Wang, Chandler, Sayan and Wineberry; by Department of Employment Security request

AN ACT Relating to services for the unemployed and underemployed; amending RCW 50.04.070, 50.04.072, 50.16.010, and 50.29.025; adding a new chapter to Title 50 RCW; adding a new section to chapter 50.24 RCW; creating a new section; making an appropriation; providing an effective date; and declaring an emergency.

Referred to Committee on Commerce & Labor.

HB 1184 by Representatives Ebersole and Betzoff; by Superintendent of Public Instruction, State Board of Education request

AN ACT Relating to high school graduation requirements; and amending RCW 28A.05.060.

Referred to Committee on Education.

HB 1185 by Representatives Ebersole, Betzoff, Schoon, Holland, Long and Wang; by Superintendent of Public Instruction request

AN ACT Relating to remediation; amending RCW 28A.41.400, 28A.41.402, 28A.41.404, and 28A.41.406; and repealing RCW 28A.41.412 and 28A.41.414.

Referred to Committee on Education.

HB 1186 by Representatives Ebersole, Betzoff, Schoon, Fuhrman, May and Long; by Superintendent of Public Instruction request

AN ACT Relating to student transportation allocations; and amending RCW 28A.41-520 and 28A.41.525.

Referred to Committee on Education.

HB 1187 by Representatives Addison, Holland and Long

AN ACT Relating to state government; adding a new section to chapter 41.04 RCW; and creating a new section.

Referred to Committee on State Government.

HB 1188 by Representatives Bristow, Belcher, Sayan, Ballard, Rayburn, Unsoeld, Doty, Haugen and Silver

AN ACT Relating to community and rural improvement; adding new sections to chapter 28B.30 RCW; making an appropriation; providing an effective date; and declaring an emergency.

Referred to Committee on Higher Education.

HB 1189 by Representatives Bristow, Fuhrman, Brooks, Rayburn, Todd, Ballard, Baugher, Isaacson and Tilly

AN ACT Relating to noxious weed control funding; amending RCW 46.16.060 and 82.44.020; adding new sections to chapter 17.10 RCW; adding new sections to chapter 43.131 RCW; and providing an expiration date.

Referred to Committee on Agriculture.

HB 1190 by Representatives Peery, L. Smith, J. King and Tanner

AN ACT Relating to the joint center for education; and amending RCW 28B.30.510 and 28B.30.520.

Referred to Committee on Higher Education.

HB 1191 by Representatives Brough and Schoon

AN ACT Relating to incorporation of cities and towns; and adding new sections to chapter 35.21 RCW.

Referred to Committee on Local Government.

HB 1192 by Representative Brough

AN ACT Relating to convention and trade facilities; and amending RCW 67.40.090.

Referred to Committee on Ways & Means.

HB 1193 by Representatives Brough, Grimm, Holland and Patrick

AN ACT Relating to school funding; adding a new section to chapter 28A.41 RCW; and declaring an emergency.

Referred to Committee on Education.

HB 1194 by Representatives D. Nelson and Lux

AN ACT Relating to electric companies; amending RCW 80.04.250, 80.04.320, 80.28.060, 80.50.010, 80.50.040, and 80.50.090; adding new sections to chapter 80.04 RCW; and repealing RCW 80.50.075.

Referred to Committee on Energy & Utilities.

HB 1195 by Representatives Addison, P. King and Holland

AN ACT Relating to public employment; and adding a new section to chapter 41.04 RCW.

Referred to Committee on State Government.

HB 1196 by Representatives Doty, Nealey, Chandler, Hastings, C. Smith and Tilly

AN ACT Relating to state general obligation bonds for agricultural water supply facilities; and adding a new chapter to Title 43 RCW.

Referred to Committee on Agriculture.

HB 1197 by Representatives Grimm and Sayan

AN ACT Relating to retirement of pension unfunded liabilities; amending RCW 82.12.020; reenacting and amending RCW 82.08.020; adding a new section to chapter 43.79 RCW; and providing an effective date.

Referred to Committee on Ways & Means.

HB 1198 by Representatives Schmidt, Zellinsky, S. Wilson, Haugen, Thomas, Lundquist, Smitherman, L. Smith, McMullen, J. Williams, Hastings, Sayan, Schoon and Brough

AN ACT Relating to state ferry system revenues; and amending RCW 47.60.150.

Referred to Committee on Transportation.

HB 1199 by Representatives Brekke, Valle, Tanner and Wineberry

AN ACT Relating to establishment of a pilot project for single mothers receiving public assistance; adding new sections to chapter 74.12 RCW; creating a new section; making an appropriation; and declaring an emergency.

Referred to Committee on Social & Health Services.

HB 1200 by Representatives Brekke, Locke, Bristow, Lux and Sayan



AN ACT Relating to community health centers assistance and managed health care development program; adding a new chapter to Title 74 RCW; making appropriations; providing an effective date; and declaring an emergency.

Referred to Committee on Social & Health Services.

HB 1201 by Representatives L. Smith and Thomas

AN ACT Relating to marriages; and amending RCW 26.04.050.

Referred to Committee on Judiciary.

#### MOTIONS

Mr. J. King moved that the bills, memorials and resolutions on the first reading calendar be referred to the committees designated.

Mr. Barrett moved that the motion be amended and House Bill No. 1121 be referred to Committee on Judiciary.

Representatives Barrett and Padden spoke in favor of the motion by Mr. Barrett, and Representatives J. King and Appelwick spoke against it.

Mr. Barrett spoke again in favor of the motion.

The motion by Mr. Barrett was lost.

The motion by Mr. J. King was carried.

#### POINT OF PERSONAL PRIVILEGE

Mr. B. Williams: "Virtually all Americans and American historians regard Abraham Lincoln as our greatest President. American author and editor, Bernard DeVoto, captured the essence of Lincoln's legend when he said: 'When American democracy reaches its crisis and needs a savior, and a great one, out of its native earth, its native shrewdness and reality and common sense, it produces Abraham Lincoln, a backwoods politician and one of the greatest statesmen in all history.'

"As we pause here today in this Chamber to remember Lincoln, I want us to focus on characteristics that made him great. He had wisdom, courage, faith, justice, compassion and vision. He possessed these qualities in greater quantities than many. Perhaps his greatest characteristic was having the wisdom to know when to compromise and when not to compromise.

"Perhaps Lincoln could have held the nation together a season longer and avoided war had he chosen a pluralistic solution to slavery. It would have been an immoral choice, but some would have taken that route. Lincoln knew that for a nation to stand, it must stand for what is right in the eyes of a just and holy God. Slavery was not merely out of date or wrong for that time, but it was wrong in God's plan.

"Lincoln did not want to divide the nation, but he had to choose between compromise and standing for what was right. He chose to stand. He did not stand in an arrogant, defiant manner; he stood in a humble and forgiving way with confidence that he was right. His conviction came from a spiritual strength he developed during a lifetime of setbacks and defeat. He spent hours in study of the scriptures and in prayer, something too few do today. His commitment to his faith did not only give him the strength to stand firm, but also the character to love his enemy. Said Lincoln (and I quote): 'We trust, sir, that God is on our side. It is more important to know that we are on God's side.'

"Lincoln has come to be viewed by history as a great President and a great leader. What we too often forget is that he made his mark on history despite the fact that his leadership and his decisions were very often unpopular at the time. This demonstrates one of Lincoln's greatest characteristics -- the ability to decide.

"It may sound trivial, but the ability to decide -- to make up your mind--to choose wisely and courageously, under any circumstances -- is one of the earmarks of greatness. Lincoln carried the terrible burden of a nation engaged in Civil War, his methods criticized by his own party and with his generals denouncing him. He is an example of the price people pay for courageous decisions.

"Lincoln's understanding of the challenge of leadership he faced is demonstrated by his own words: 'I desire so to conduct the affairs of this administration that if at the end, when I come to lay down the reins of power, I have lost every

other friend on earth, I shall have at least one friend left, and that friend shall be down inside of me.'

'Lincoln also demonstrated his confidence in the path he chose for our nation when he said, 'If I were to try to read, much less answer, all of the attacks made on me, this shop might as well be closed for any other business. I do the very best I know how; the very best I can; and I mean to keep doing so until the end. If the end brings me out all right, what is said against me won't amount to anything. If the end brings me out wrong, ten angels swearing I was right would make no difference.'

'As we remember and honor the legacy that is Lincoln's, let us also recognize that Lincoln was a product of his time. To paraphrase former Kansas Governor Henry Allen, had Abraham Lincoln been living today, the Rotary Club would supply him with a set of books; the Lions Club with a good reading lamp; and the Kiwanis Club with writing equipment.

'He would receive loans and grants to attend college. He would receive a subsidy for rail splitting, another one for raising a crop he was going to raise anyway and still another subsidy for not raising a crop he had no intention of raising. As a result, there would have been no Abraham Lincoln.

'Lincoln's character, his strength, and his greatness all sprang from the kind of life he led -- from the adversity he overcame and the challenges he met head on. Now we must strive to learn from Lincoln's example -- to make ourselves, our state, and our nation better. Let us have leaders who strive to be right, yet who are humble enough to admit that neither they nor their party are perfect. Let us have leaders who will be humble enough not to blame every ill on the last administration, yet claim every victory for themselves. Let us have leaders who have the strength of conviction to vote right and the strength of character to live right.

'Let's learn from Lincoln's example.'

#### MOTION

On motion of Mr. J. King, the House adjourned until 10:30 a.m., Wednesday, February 13, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk

## THIRTY-FIRST DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, February 13, 1985.

The House was called to order at 10:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives P. King, G. Nelson and Tanner. Representatives P. King and Tanner were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Jana Ward and Ken Krull. Prayer was offered by Reverend John Wingfield, Minister of the Unity Church of Olympia.

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

## MESSAGES FROM THE SENATE

February 6, 1985

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 3044,  
 SUBSTITUTE SENATE BILL NO. 3059,  
 SUBSTITUTE SENATE BILL NO. 3068,  
 SENATE BILL NO. 3070,  
 SENATE BILL NO. 3103,  
 SENATE BILL NO. 3121.

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

February 6, 1985

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 109.

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

February 7, 1985

Mr. Speaker:

The Senate has passed:

SENATE BILL No. 3043,  
 SUBSTITUTE SENATE BILL NO. 3048,  
 SENATE BILL NO. 3085,  
 SUBSTITUTE SENATE BILL NO. 3122,  
 SENATE BILL NO. 3270,  
 SENATE BILL NO. 3408,  
 ENGROSSED SENATE BILL NO. 3572.

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

February 8, 1985

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3015,  
 SENATE BILL NO. 3018,  
 ENGROSSED SENATE BILL NO. 3042,  
 SENATE BILL NO. 3095,  
 SENATE BILL NO. 3104,  
 SUBSTITUTE SENATE BILL NO. 3170,  
 SENATE BILL NO. 3202,  
 SUBSTITUTE SENATE BILL NO. 3361.

SENATE BILL NO. 3368,  
SENATE BILL NO. 3409,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

February 11, 1985

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 3215,  
SENATE JOINT MEMORIAL NO. 102.

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

February 12, 1985

Mr. Speaker:

Under provisions of House Concurrent Resolution No. 4, the Senate has appointed the following members: Senators Garrett, Johnson and Stratton.

Sidney R. Snyder, Secretary.

#### INTRODUCTIONS AND FIRST READING

SSB 3015 by Committee on Commerce & Labor (originally sponsored by Senators Williams, Lee, Garrett and Vognild)

Exempting dealers of certain used items from the requirements for second-hand dealers.

Referred to Committee on Commerce & Labor.

SB 3018 by Senators Gaspard, Zimmerman, McDermott and Conner; by Legislative Budget Committee request

Adopting life-cycle costing in construction design of public facilities.

Referred to Committee on Ways & Means.

ESB 3042 by Senators Hansen, Barr and Goltz

Creating a registry of security interests in the department of agriculture.

Referred to Committee on Agriculture.

SB 3043 by Senators Hansen, Barr and Peterson

Eliminating requirement that cattle assessments be paid upon delivery to feedlot rather than at time of sale.

Referred to Committee on Agriculture.

ESB 3044 by Senator Barr

Modifying excavating provisions.

Referred to Committee on Agriculture.

SSB 3048 by Committee on Financial Institutions (originally sponsored by Senator Moore)

Modifying the state advisory committee on securities.

Referred to Committee on Financial Institutions & Insurance.

SSB 3059 by Committee on Commerce & Labor (originally sponsored by Senators Vognild, Newhouse, Warnke, Hansen, Boltiger, Benitz, McManus and Barr)

Changing manner in which certain unemployment benefit payments are charged to employers for purposes of calculating contribution rates.

Referred to Committee on Commerce & Labor.

- SSB 3068 by Committee on Transportation (originally sponsored by Senators Thompson, Barr and Peterson)  
Providing for a special movement permit decal for mobile homes.  
Referred to Committee on Transportation.
- SB 3070 by Senators Vognild, Zimmerman and Conner  
Revising the record keeping requirements for the county auditor.  
Referred to Committee on Local Government.
- SB 3085 by Senators Patterson, Peterson, Barr and Garrett  
Permitting application of approved sunscreens to vehicle windows.  
Referred to Committee on Transportation.
- SB 3095 by Senators Talmadge, Newhouse and Halsan  
Revising appellate procedure.  
Referred to Committee on Judiciary.
- SB 3103 by Senators Rasmussen and Talmadge  
Modifying references to the award in lieu of homestead.  
Referred to Committee on Judiciary.
- SB 3104 by Senators Talmadge and Newhouse  
Repealing statutes superseded by court rules.  
Referred to Committee on Judiciary.
- SB 3121 by Senators Granlund, Hansen, Garrett, Vognild and Bender; by Department of Transportation request  
Authorizing DOT activities to receive federal funds.  
Referred to Committee on Transportation.
- SSB 3122 by Committee on Transportation (originally sponsored by Senators Garrett, Hansen, Granlund and Vognild; by Department of Transportation request)  
Permitting the DOT to deliver plans and specifications for bid proposals without advance payment or written request.  
Referred to Committee on Transportation.
- SSB 3170 by Committee on Natural Resources (originally sponsored by Senators Owen and Metcalf)  
Establishing criteria for annual natural resources reports.  
Referred to Committee on Natural Resources.
- SB 3202 by Senators McCaslin, Thompson and Zimmerman  
Modifying provisions relating to initial assessed property valuations.  
Referred to Committee on Local Government.
- SB 3215 by Senators Peterson, Patterson and Hansen  
Enhancing the authority of ferry advisory committees.  
Referred to Committee on Transportation.
- SB 3270 by Senators McDermott, Warnke and Thompson; by Department of Retirement Systems request  
Modifying tax deferral benefits under public retirement systems.  
Referred to Committee on Ways & Means.

SSB 3361 by Committee on Financial Institutions (originally sponsored by Senators Moore and Sellar)

Regulating savings banks; providing for acquisition of control; and regulating conversions.

Referred to Committee on Financial Institutions & Insurance.

SB 3368 by Senators Thompson, Owen and Lee

Revising provisions relating to the sale of salmon.

Referred to Committee on Natural Resources.

SB 3408 by Senators Warnke, Newhouse, Wojahn, McManus, Rasmussen, Cantu and Vognild; by Employment Security Department request

Limiting the definition of employer for unemployment insurance purposes.

Referred to Committee on Commerce & Labor.

SB 3409 by Senators Warnke, Newhouse, Granlund, Wojahn, McManus, Rasmussen, Cantu, Lee and Vognild; by Employment Security Department request

Specifying types of benefit payments not charged to employers' unemployment insurance experience rating accounts.

Referred to Committee on Commerce & Labor.

ESB 3572 by Senators McDermott, Lee and Rasmussen; by State Treasurer, Office of Financial Management, State Auditor request

Correcting nomenclature in accounts and funds to fit generally accepted accounting procedures.

Referred to Committee on Ways & Means.

SJM 102 by Senators Owen, Rasmussen, Stratton, Metcalf, Conner, Johnson, Patterson and Barr

Requesting restrictions on importation of Canadian forest products.

Referred to Committee on Natural Resources.

SCR 109 by Senator Goltz

Calling attention to the issue of liability in the transportation and storage of high-level and defense nuclear waste.

Referred to Committee on Rules.

#### MOTION

On motion of Mr. J. King, the bills, memorials and resolutions listed on today's fourth order of business were considered first reading and referred to the committees designated.

#### REPORTS OF STANDING COMMITTEES

February 8, 1985

HB 16 Prime Sponsor, Representative Sayan: Modifying provisions relating to payment of the prevailing wage. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Betrozoff, Chandler, Ebersole, Fisch, Fisher, R. King, O'Brien, Patrick, Sayan, C. Smith, Walker and J. Williams.

Passed to Committee on Rules for second reading.

February 8, 1985

HB 32 Prime Sponsor, Representative R. King: Providing collective bargaining for institutions of higher education. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Ebersole, Fisch, Fisher, R. King, O'Brien, Patrick and Sayan.

MINORITY recommendation: Do not pass. Signed by Representatives Betzoff, Chandler, C. Smith, Walker and J. Williams.

Passed to Committee on Rules for second reading.

February 8, 1985

HB 48 Prime Sponsor, Representative R. King: Adding life support technicians to employees covered by uniformed personnel collective bargaining procedures. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Betzoff, Chandler, Ebersole, Fisch, Fisher, R. King, O'Brien, Patrick, Sayan, C. Smith, Walker and J. Williams.

Passed to Committee on Rules for second reading.

February 11, 1985

HB 141 Prime Sponsor, Representative Ebersole: Providing for a tenth grade achievement test. Reported by Committee on Rules

Referred to Committee on Ways & Means with proposed substitute.

February 8, 1985

HB 149 Prime Sponsor, Representative Nutley: Clarifying under what conditions a county treasurer shall prepare distraint papers. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Allen, Bristow, Brough, Doty, Ebersole, Hine, Isaacson, May, Patrick, Winsley and Zellinsky.

Absent: Representatives Allen, Isaacson, Rayburn and Smitherman.

Passed to Committee on Rules for second reading.

February 8, 1985

HB 150 Prime Sponsor, Representative Haugen: Providing uniform procedures for the creation, elections, and operations of various special purpose districts. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Allen, Bristow, Brough, Ebersole, Hine, Isaacson, May, Rayburn, Winsley and Zellinsky.

Absent: Representatives Patrick and Smitherman.

Passed to Committee on Rules for second reading.

February 11, 1985

HB 158 Prime Sponsor, Representative Winsley: Requiring payment of a fee for reinstatement of a driver's license suspended for a financial responsibility violation. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Wineberry, Vice Chair; Baugher, Betzoff, Bond, Brough, Fisch, Fisher, Gallagher, Hankins, Haugen, Kremen, Lundquist, McMullen, Patrick, Prince, Schmidt, C. Smith, Sutherland, Valle, Van Luven, J. Williams and K. Wilson.

Absent: Representatives Kremen, Tanner, Thomas and Zellinsky.

Passed to Committee on Rules for second reading.

February 8, 1985

HB 177 Prime Sponsor, Representative Ebersole: Increasing funds available to veterans organizations for hall rental. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Allen, Bristow, Brough, Ebersole, Hine, Isaacson, May, Rayburn, Winsley and Zellinsky.

Absent: Representatives Doty, Patrick and Smitherman.

Passed to Committee on Rules for second reading.

February 12, 1985

HB 225 Prime Sponsor, Representative Rust: Establishing a civil penalty for the unauthorized or illegal operation of waste management facilities. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Rust, Chair; Unsoeld, Vice Chair; Allen, Barnes, Brekke, Brough, Jacobsen, R. King, Lewis, Lux, May, Nutley and Valle.

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

Absent: Representative Bond.

Passed to Committee on Rules for second reading.

February 8, 1985

HB 309 Prime Sponsor, Representative Vekich: Modifying provisions relating to aquatic farming. Reported by Committee on Rules

Referred to Committee on Ways & Means with proposed substitute.

February 12, 1985

HB 464 Prime Sponsor, Representative Patrick: Restricting the sale of wildlife skins and furs at auction. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Basich, Belcher, Cole, Fuhrman, Hankins, Hargrove, Haugen, Leonard, Lundquist, McMullen, D. Nelson, Sanders, Sayan, Thomas, van Dyke, J. Williams and S. Wilson

Absent: Representative Dobbs.

Passed to Committee on Rules for second reading.

#### MOTION

On motion of Mr. J. King, HOUSE BILL NO. 428 was rereferred from the second reading calendar to Committee on Commerce & Labor.

#### SECOND READING

HOUSE JOINT MEMORIAL NO. 2, by Representatives Addison, Niemi, Padden, Brekke and D. Nelson

Requesting the President and Congress to effect the protection of Orthodox Christians.

The memorial was read the second time.

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

On page 2, line 13 after "older" insert "and

WHEREAS the Orthodox Christians in Turkey, the Soviet bloc countries, Iran and Iraq are subjected to persecution for the practice of their faith; and

WHEREAS, Orthodox Christians in Turkey, the Soviet bloc countries, Iran and Iraq are hindered in the free exercise of their religion;"

On page 2, line 16 after "Turkish" insert "Soviet bloc, Iranian and Iraqi"

On page 2, line 16 strike "government" and insert "governments"

The memorial was ordered engrossed. Mr. J. King moved that the rules be suspended, the second reading considered the third, and the memorial be placed on final passage.

Mr. Barrett spoke in favor of the motion, and it was carried.

Mr. Addison spoke in favor of the memorial.



## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Joint Memorial No. 2, and the memorial passed the House by the following vote: Yeas, 89; nays, 6; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King R, Kremen, Leonard, Lewis, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 89.

Voting nay: Representatives Belcher, Betrozoff, Dellwo, Locke, Prince, Vekich - 6.

Absent: Representative Nelson G - 1.

Excused: Representatives King P, Tanner - 2.

Engrossed House Joint Memorial No. 2, having received the constitutional majority, was declared passed.

Mr. G. Nelson appeared at the bar of the House.

HOUSE JOINT RESOLUTION NO. 12, by Representatives Peery, R. King, Wang, Walker, C. Smith, Patrick, Chandler, Ebersole, Valle, McMullen, O'Brien, Belcher, Lux, Ballard, B. Williams, Hargrove, K. Wilson, Long, Haugen, Unsoeld, Hine, Sutherland, Bristow and Day; by Joint Select Committee on Workers' Compensation request

Permitting investment of industrial insurance trust funds.

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

HOUSE BILL NO. 26, by Representatives Haugen, Brough and P. King

Granting extensive self-government authority to counties, cities, and towns.

The bill was read the second time. On motion of Ms. Haugen, Substitute House Bill No. 26 was substituted for House Bill No. 26, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 26 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 44, by Representatives Crane, Brough, Rayburn, May, Walk, Patrick, Hine, Bristow, Lundquist, Kremen, R. King, Schoon and Fisch

Permitting family members to look at autopsy and post mortem reports.

The bill was read the second time. On motion of Ms. Haugen, Substitute House Bill No. 44 was substituted for House Bill No. 44, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 44 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 75, by Representative Walk, Lux, Sanders, Nealey, Miller and D. Nelson; by Department of Transportation request

Prohibiting the use of metal studded tires.

The bill was read the second time. Committee on Transportation recommendation: Majority, do pass as amended. (For amendments, see Journal, 26th Day, February 8, 1985.)

On motion of Mr. Walk, the committee amendment to page 2 was adopted.

Ms. Silver moved adoption of the following amendments:

On page 1, line 20 after "skid" insert "except as provided in subsection (3) of this section"

On page 1, line 25 after "(3)" insert "On vehicles moved on highways east of the Cascade mountains, it is permissible to use metal studs of reasonable proportions embedded within the tire of a type approved by the state commission on equipment. Metal studs shall not be used between April 1st and November 1st, except as authorized by the department.

(4)

Representatives Silver, Barrett, Taylor, Prince, Lewis, Fuhrman, Ballard and Isaacson spoke in favor of the amendments, and Representatives Walk and K. Wilson spoke against them.

Ms. Niemi demanded the previous question, and the demand was sustained.

The amendment was not adopted.

On motion of Mr. Walk, the committee amendments to the title of the bill were adopted.

House Bill No. 75 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 78, by Representatives Schmidt, Zellinsky and J. Williams; by Department of Transportation request

Authorizing fees for parking in state ferry facilities.

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

HOUSE BILL NO. 86, by Representatives Walk, Schmidt, S. Wilson, Gallagher, J. Williams and Fisch

Directing civil service exemption for certain positions within the department of transportation.

The bill was read the second time. On motion of Ms. Belcher, Substitute House Bill No. 86 was substituted for House Bill No. 86, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 86 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 94, by Representatives Winsley, Ebersole, Gallagher, Smitherman, Wang, Walker, and Fisher

Changing the method of appointing a public health director.

The bill was read the second time. On motion of Ms. Haugen, Substitute House Bill No. 94 was substituted for House Bill No. 94, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 94 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 108, by Representatives Miller, Fisher, Fisch, Barrett, Barnes, Walker, Winsley, Hastings, Leonard and Silver; by Secretary of State request

Requiring declarations of candidacy from write-in candidates.

The bill was read the second time. On motion of Ms. Fisher, Substitute House Bill No. 108 was substituted for House Bill No. 108, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 108 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 137, by Representatives C. Smith, Zellinsky, Lundquist, Prince, Bond and Chandler

Permitting freight compartments on truck tractors.

The bill was read the second time. On motion of Mr. Walk, Substitute House Bill No. 137 was substituted for House Bill No. 137, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 137 was read the second time and passed to Committee on Rules for third reading.

## THIRD READING

ENGROSSED HOUSE BILL NO. 181, by Representatives Brekke, Tilly, Sommers, G. Nelson, Vander Stoep, Grimm, B. Williams, P. King, Bond, Long, Sayan, R. King, Isaacson, Patrick, May, Miller, Brough and Silver; by Legislative Budget Committee request

Extending state coordination of sexual assault programs.

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

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

## MOTION

Mr. Barrett moved that Engrossed House Bill No. 181 be rereferred to Committee on Ways & Means.

Mr. Barrett spoke in favor of the motion, and Mr. J. King spoke against it.

The motion was lost.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 181, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives King P, Tanner - 2.

Engrossed House 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.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 199, by Committee on Commerce & Labor (originally sponsored by Representatives R. King, Patrick, Wang, Fisch, Ebersole, Sayan, Belcher, Locke and Fisher)

Modifying provisions relating to farm labor contractors.

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

Representative R. King spoke in favor of passage of the bill, and Representatives C. Smith and Chandler spoke against it.

## POINT OF INQUIRY

Mr. R. King yielded to question by Mr. Patrick.

Mr. Patrick: "Representative King, what is meant by the term 'joint employment' as it is used in this bill?"

Mr. R. King: "The term is taken from two federal labor laws, the Fair Labor Standards Act and the Agricultural Workers Protection Act. The committee intends that the meaning given the term 'joint employment' be the same that is given to the term under these two laws, so that legal standards under all governing laws will be the same. The existence of joint employment is determined by the courts on a case-by-case basis, and the court considers many factors."

Mr. Patrick: "Is ownership of the property sufficient to establish joint employment?"

Mr. R. King: "No."

Mr. Patrick: "Would the factor of supervision standing alone be sufficient to constitute joint employment?"

Mr. R. King: "No, if the major portion of the supervision is exorcised by the fair labor contractor."

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 199, and the bill passed the House by the following vote: Yeas, 68; nays, 28; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Basich, Baugher, Belcher, Betrozoff, Braddock, Brekke, Brough, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hine, Jacobsen, King J, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Smith L, Smitherman, Sommers, Sutherland, Taylor, Tilly, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 68.

Voting nay: Representatives Ballard, Barnes, Barrett, Bond, Bristow, Brooks, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hargrove, Hastings, Haugen, Holland, Isaacson, Lewis, Nealey, Padden, Prince, Sanders, Silver, Smith C, Thomas, van Dyke, Walker, Williams J, Wilson S - 28.

Excused: Representatives King P, Tanner - 2.

Engrossed Substitute House 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

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

#### RESOLUTION

HOUSE FLOOR RESOLUTION NO. 85-17, by Representatives Sayan, Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Ehlers, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, J. King, P. King, R. King, Kremen, Lewis, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, D. Nelson, G. Nelson, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Schmidt, Schoon, Scott, Silver, C. Smith, L. Smith, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Vander Stoep, van Dyke, Van Luven, Vekich, Walk, Walker, Wang, West, B. Williams, J. Williams, K. Wilson, S. Wilson, Wineberry, Winsley and Zellinsky

WHEREAS, The State of Washington and many cities therein are approaching their first centennial; and

WHEREAS, In 1885, under the administration of Territorial Governor Watson C. Squire, a plat was drawn for the City of Sheltonville, later shortened to Shelton for post office convenience; and

WHEREAS, The City of Shelton will this year, 1985, celebrate its first centennial; and

WHEREAS, It is with justifiable pride that we honor those individuals who through their collective efforts and sense of community have helped to build this enduring municipality; and

WHEREAS, Jeanie Shaw Wheeler is one such individual who, arriving in western Washington in 1890, has been and still remains an active participant in Shelton's developing community life; and

WHEREAS, Jeanie Shaw Wheeler, now one hundred three years old, is the oldest retired teacher in the State of Washington and is an active member of her political caucus, including attendance during the recent elections;

NOW, THEREFORE, BE IT RESOLVED, That the people of the State of Washington through their elected representatives congratulate the City of Shelton on the occasion of its first centennial and for enduring as an important political entity and as a city with a unique personality; and

BE IT FURTHER RESOLVED, That Jeanie Shaw Wheeler be recognized and commended for her contributions to her community and for her continuing participation in civic affairs; and

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Jeanie Shaw Wheeler.

Mr. Sayan moved adoption of the resolution. Representatives Sayan and Vekich spoke in favor of the resolution, and it was adopted.

#### MOTIONS

On motion of Mr. J. King, HOUSE BILL NO. 582 was rereferred from Committee on Education to Committee on Higher Education.

On motion of Mr. J. King, HOUSE BILL NO. 719 was rereferred from Committee on State Government to Committee on Higher Education.

On motion of Mr. J. King, HOUSE BILL NO. 1059 was rereferred from Committee on Local Government to Committee on Transportation.

On motion of Mr. J. King, HOUSE BILL NO. 1116 was rereferred from Committee on Environmental Affairs to Committee on Local Government.

On motion of Mr. J. King, HOUSE BILL NO. 637, HOUSE BILL NO. 811, HOUSE BILL NO. 812, HOUSE BILL NO. 815, HOUSE BILL NO. 840, HOUSE BILL NO. 963 and HOUSE BILL NO. 964 were rereferred from Committee on Environmental Affairs to the Select Committee on the Clean-up and Management of Puget Sound.

On motion of Mr. J. King, HOUSE JOINT MEMORIAL NO. 23, HOUSE JOINT MEMORIAL NO. 24 and HOUSE JOINT MEMORIAL NO. 26 were rereferred from Committee on Rules to Committee on State Government.

On motion of Mr. J. King, HOUSE JOINT RESOLUTION NO. 23 was rereferred from Committee on Local Government to Committee on Trade and Economic Development.

#### MOTION

On motion of Mr. J. King, the House adjourned until 10:30 a.m., Friday, February 15, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk

## THIRTY-THIRD DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Friday, February 15, 1985.

The House was called to order at 10:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Barrett and Fuhrman, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Tina Kagi and Jim Kainber. Prayer was offered by Reverend Don Steeb from Woodinville, Washington.

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

## INTERIM COMMITTEE APPOINTMENTS

The Speaker announced the following committee appointments:

Office of the State Actuary (Special Committee): Representatives Bristow, Long, Sommers;

Washington State Gambling Commission: Representatives Barrett, Gallagher;

1989 Washington State Centennial Commission: Representative Belcher;

Joint Select Committee on Public Health: Representative Valle;

Western States Legislative Forestry Task Force: Representative Lundquist.

## STANDING COMMITTEE APPOINTMENT

The Speaker announced that Representative S. Wilson would replace Representative B. Williams on the Committee on Social & Health Services.

## MESSAGES FROM THE SENATE

February 12, 1985

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 3176.

ENGROSSED SENATE BILL NO. 3214.

SENATE JOINT MEMORIAL NO. 108.

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

February 13, 1985

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 3127.

SUBSTITUTE SENATE BILL NO. 3145.

SUBSTITUTE SENATE BILL NO. 3525.

SENATE BILL NO. 3551.

ENGROSSED SENATE JOINT MEMORIAL NO. 101.

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

February 14, 1985

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 3028.

SENATE BILL NO. 3133.

SENATE BILL NO. 3233.

SENATE BILL NO. 3236.

SUBSTITUTE SENATE BILL NO. 3249.

SENATE BILL NO. 3322,  
 SUBSTITUTE SENATE BILL NO. 3407,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTIONS AND FIRST READING

SB 3028 by Senator Williams

Revising procedures for the disposition of archaeological materials from cairns or graves.

Referred to Committee on State Government.

SB 3127 by Senators Moore, Newhouse and Stratton

Authorizing the assistant state treasurer to serve on the state investment board.

Referred to Committee on Ways & Means.

SB 3133 by Senators Gaspard, Benitz, Rinehart, Patterson, Saling, Johnson, Stratton and von Reichbauer

Increasing the membership on the boards of trustees for the regional universities and The Evergreen State College.

Referred to Committee on Higher Education.

SSB 3145 by Committee on Ways & Means (originally sponsored by Senators Rasmussen and DeJarnatt; by State Treasurer request)

Clarifying the distribution of forest reserve funds for county roads and schools.

Referred to Committee on Education.

ESB 3176 by Senators Granlund, Kiskaddon, Kreidler and Stratton; by Department of Social and Health Services request

Revising population limitations in juvenile residential facilities.

Referred to Committee on Social & Health Services.

ESB 3214 by Senators Wojahn, Warnke, Lee, Moore, Williams, Halsan, Fleming and Peterson

Declaring economic development programs with nonprofit corporations to be a public purpose for cities and counties.

Referred to Committee on Trade & Economic Development.

SB 3233 by Senators Owen, Hayner, Granlund and Rasmussen

Expanding the permissible uses of the institutional impact account.

Referred to Committee on Social & Health Services.

SB 3236 by Senators Moore, Sellar, Vognild, Bender, McManus, Warnke, McCaslin, Newhouse, Deccio, Wojahn, Stratton, Guess, McDermott, von Reichbauer and Conner

Relating to banks and bank holding companies.

Referred to Committee on Financial Institutions & Insurance.

SSB 3249 by Committee on Financial Institutions (originally sponsored by Senators Kreidler, Moore and Rasmussen)

Specifying permissible terms of group life insurance for members of the Washington national guard.

Referred to Committee on Financial Institutions & Insurance.

SB 3322 by Senators Gaspard, Fleming, Hayner, Benitz and von Reichbauer

Increasing the members of the boards of regents of the state universities.

Referred to Committee on Higher Education.

SSB 3407 by Committee on Commerce & Labor (originally sponsored by Senators Warnke, Newhouse, Wojahn, McManus, Rasmussen, Cantu and Vognild; by Employment Security Department request)

Changing provisions relating to approved training for purposes of unemployment compensation.

Referred to Committee on Commerce & Labor.

SSB 3525 by Committee on Commerce & Labor (originally sponsored by Senators Warnke, Fleming, Lee, Halsan, Cantu, McDonald, Williams, Moore, Newhouse and Vognild)

Regulating the sale of kosher foods.

Referred to Committee on Agriculture.

SB 3551 by Senator McDermott

Clarifying the tax statutes as a result of Bond v. Burrows 103 Wn. 2d 153 (1984).

Referred to Committee on Ways & Means.

ESJM 101 by Senators Owen, Patterson, Stratton, Conner and Talmadge

Urging ratification of a United States-Canada salmon treaty.

Referred to Committee on Natural Resources.

SJM 108 by Senators Williams, Benitz, Bottiger, McDermott, McManus, Halsan, Bailey, Wojahn, Kreidler, Granlund, Rasmussen, DeJarnatt, Owen, Thompson, Stratton, Warnke, McCaslin, Saling, Bauer, Goltz, Peterson, Garrett, Barr, Bender, Bluechel, Cantu, Conner, Craswell, Deccio, Fleming, Gaspard, Guess, Hansen, Hayner, Johnson, Kiskaddon, Lee, McDonald, Metcalf, Moore, Newhouse, Patterson, Pullen, Rinehart, Sellar, Talmadge, Vognild, von Reichbauer and Zimmerman

Requesting the federal government to withdraw the proposal to modify payments of the Bonneville Power Administration.

Referred to Committee on Energy & Utilities.

#### MOTION

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

#### REPORTS OF STANDING COMMITTEES

HB 15 Prime Sponsor, Representative Fisch: Modifying provisions relating to security for the payment of the prevailing wages under public works contracts. Reported by Committee on Local Government

February 12, 1985

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Allen, Bristow, Brough, Doty, Ebersole, Hine, Isaacson, May, Patrick, Rayburn, Winsley and Zellinsky.

Absent: Representatives Nutley, Vice Chair; Ebersole, Hine, Isaacson and Smitherman.

Passed to Committee on Rules for second reading.

HB 43 Prime Sponsor, Representative Lux: Requiring insurers to file their annual statement convention blank. Reported by Committee on Financial Institutions & Insurance

February 14, 1985

MAJORITY recommendation: Do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Addison, Barrett, Crane, Dellwo, Holland, P. King, Locke, Nutley, Prince, West and Winsley.



Absent: Representative Grimm.

Passed to Committee on Rules for second reading.

February 12, 1985

HB 57 Prime Sponsor, Representative D. Nelson: Regulating ratepayer financed public service company information and education activities. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 5 after "follows:" strike the remainder of the bill and insert "The legislature finds that expenses associated with political information and political education activities of public service companies are properly allocated to investors in the public service company and should not be charged to ratepayers."

On page 1, line 2 of the title after "adding" strike "new sections" and insert "a new section"

Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong, Gallagher, Jacobsen, Madsen, Sutherland and Unsoeld.

MINORITY recommendation: Do not pass. Signed by Representatives Barnes, Bond, Isaacson, Long, Miller, Nealey and Van Luven.

Passed to Committee on Rules for second reading.

February 12, 1985

HB 81 Prime Sponsor, Representative Armstrong: Prohibiting teaching, exhibiting, or demonstrating the use of or using firearms in civil disorders. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefore and the substitute bill do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, Lewis, Locke, Padden, Schmidt, Schoon, Van Luven, West and Wang.

Voting nay: Representatives P. King and Niemi.

Absent: Representatives G. Nelson and Tilly.

Passed to Committee on Rules for second reading.

February 13, 1985

HB 103 Prime Sponsor, Representative Sommers: Requiring compensation of public employees to be established in open public meetings. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Belcher, Chair; Peery, Vice Chair; Baugher, Brooks, Fuhrman, Hankins, O'Brien, Sanders, Taylor, Todd, van Dyke, Vekich and Walk.

Passed to Committee on Rules for second reading.

February 13, 1985

HB 105 Prime Sponsor, Representative Wang: Creating new superior court judicial positions. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, P. King, Lewis, Locke, G. Nelson, Niemi, Padden, Schmidt, Schoon, Tilly, Van Luven, West and Wang.

Passed to Committee on Rules for second reading.

February 13, 1985

HB 166 Prime Sponsor, Representative Sayan: Changing provisions relating to public university and college construction bids. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sommers, Chair; Jacobsen, Vice Chair; Allen, Basich, Belcher, Miller, D. Nelson, Prince, Unsoeld, Vander Stoep, K. Wilson and Wineberry.

Voting nay: Representatives Hastings and G. Nelson.

Absent: Representative Silver.

Passed to Committee on Rules for second reading.

February 13, 1985

HB 194 Prime Sponsor, Representative Haugen: Establishing an alternative procedure for commencing withdrawal of territory from a water or sewer district. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Allen, Bristow, Brough, Doty, Ebersole, Hine, Isaacson, May, Patrick, Rayburn, Smitherman, Winsley and Zellinsky.

Passed to Committee on Rules for second reading.

February 13, 1985

HB 214 Prime Sponsor, Representative Baugher: Prohibiting operation of a watercraft while under the influence of alcohol or drugs. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, Lewis, Locke, G. Nelson, Niemi, Padden, Schoon, Tilly, Van Luven and West.

Voting nay: Representatives Schmidt and Wang.

Passed to Committee on Rules for second reading.

February 12, 1985

HB 228 Prime Sponsor, Representative Peery: Exempting from registration small craft used on those waters not subject to federal jurisdiction. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendments:

On page 2, after line 18 insert the following:

"NEW SECTION, Sec. 2. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of state government and its existing public institutions, and shall take effect July 1, 1985."

On page 1, line 2 of the title after "jurisdiction;" strike "and" and on line 3 after "88.02.030" insert "; and providing an effective date"

Signed by Representatives Walk, Chair; Wineberry, Vice Chair; Baugher, Betzoff, Fisch, Fisher, Gallagher, Hankins, Kremen, Lundquist, Patrick, Prince, C. Smith, Sutherland, Van Luven and K. Wilson.

Voting nay: Representatives Brough, Haugen and Zellinsky.

Absent: Representative Thomas.

Passed to Committee on Rules for second reading.

February 14, 1985

HB 310 Prime Sponsor, Representative Fisch: Permitting wagering under certain circumstances. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Betzoff, Chandler, Ebersole, Fisch, Fisher, R. King, Patrick, Sayan, C. Smith, Walker and J. Williams

Absent: Representatives O'Brien and C. Smith.

Passed to Committee on Rules for second reading.

February 12, 1985

HB 327 Prime Sponsor, Representative Baugher: Restricting the use of optical strobe light devices to publicly-owned emergency and law enforcement vehicles. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Wineberry, Vice Chair; Baugher, Betzoff, Bond, Brough, Fisch, Fisher, Gallagher, Hankins, Haugen, Kremen, Lundquist, McMullen, Patrick, Prince, Schmidt, C. Smith, Sutherland, Tanner, Thomas, Valle, J. Williams, K Wilson and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representative Van Luven.

Absent: Representative Sutherland.

Passed to Committee on Rules for second reading.

February 12, 1985

HB 340 Prime Sponsor, Representative Unsoeld: Authorizing differential electric utility rates to encourage energy conservation measures. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 9 after "effective" insert "and economically feasible for the consumer"

On page 1, line 18 after "effective" insert "and economically feasible for the consumer"

On page 2, line 8 after "effective" insert "and economically feasible for the consumer"

Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong, Barnes, Gallagher, Isaacson, Jacobsen, Long, Madsen, Miller, Nealey, Sutherland, Unsoeld and Van Luven.

Voting nay: Representative Bond.

Passed to Committee on Rules for second reading.

February 13, 1985

HB 389 Prime Sponsor, Representative Nutley: Clarifying collection of vending machine revenue in public buildings. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Belcher, Chair; Peery, Vice Chair; Baugher, Brooks, Fuhrman, Hankins, O'Brien, Sanders, Taylor, Todd, van Dyke, Vekich and Walk.

Passed to Committee on Rules for second reading.

February 13, 1985

HB 391 Prime Sponsor, Representative Brooks: Modifying competitive bidding requirements for state purchasing. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Belcher, Chair; Peery, Vice Chair; Baugher, Brooks, Fuhrman, Hankins, O'Brien, Sanders, Taylor, Todd, van Dyke, Vekich and Walk.

Passed to Committee on Rules for second reading.

February 13, 1985

HB 398 Prime Sponsor, Representative Walk: Requiring payment of the federal heavy vehicle use tax for state vehicle registration. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Wineberry, Vice Chair; Baugher, Betzoff, Bond, Brough, Fisch, Fisher, Gallagher, Hankins, Haugen, Kremen, Lundquist, McMullen, Patrick, Prince, Schmidt, C. Smith, Sutherland, Tanner, Thomas, Valle, Van Luven, J. Williams, K. Wilson and Zellinsky.

Absent: Representatives Baugher, Bond and Van Luven.

Passed to Committee on Rules for second reading.

February 13, 1985

HB 399 Prime Sponsor, Representative K. Wilson: Authorizing staggered licensing for motor vehicle related businesses. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Wineberry, Vice Chair; Baugher, Betzoff, Bond, Brough, Fisch, Fisher, Gallagher, Hankins, Haugen, Kremen, Lundquist, McMullen, Patrick, Prince, Schmidt, C. Smith, Sutherland, Tanner, Thomas, Valle, Van Luven, J. Williams, K. Wilson and Zellinsky.

Absent: Representatives Baugher, McMullen and Van Luven.

Passed to Committee on Rules for second reading.

February 14, 1985

HB 402 Prime Sponsor, Representative R. King: Authorizing nonprofit organizations to increase price of raffle tickets. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Betzoff, Chandler, Ebersole, Fisch, Fisher, R. King, Patrick, Sayan, C. Smith, Walker and J. Williams.

Absent: Representative O'Brien.

Passed to Committee on Rules for second reading.

February 12, 1985

HB 452 Prime Sponsor, Representative Baugher: Adding factors to be considered before releasing an accused on personal recognizance. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Crane, Dellwo, Hargrove, Lewis, Locke, Niemi, Padden, Schmidt, Schoon, West and Wang.

Voting nay: Representative Appelwick.

Absent: Representatives P. King, G. Nelson, Tilly and Van Luven.

Passed to Committee on Rules for second reading.

February 14, 1985

HB 459 Prime Sponsor, Representative O'Brien: Regulating the sale of kosher foods. Reported by Committee on Agriculture

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Vekich, Chair; Baugher, Vice Chair; Ballard, Bristow, Brooks, Chandler, Doty, Kremen, Madsen, Nealey and Peery.

Passed to Committee on Rules for second reading.

February 12, 1985

HB 461 Prime Sponsor, Representative Kremen: Modifying provisions on loans and grants to political subdivisions for public facilities. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives McMullen, Chair; Kremen, Vice Chair; Braddock, Day, Dobbs, Doty, Hargrove, J. King, Lundquist, May, Niemi, Rayburn, Schoon, Scott, L. Smith, Smitherman, Tanner, Thomas, van Dyke, Vekich, B. Williams, and Wineberry.

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

Absent: Representative Silver.

Passed to Committee on Rules for second reading.

February 13, 1985

HB 507 Prime Sponsor, Representative Betrozoff: Improving freeway traffic flow. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Wineberry, Vice Chair; Baugher, Betrozoff, Bond, Brough, Fisch, Fisher, Gallagher, Hankins, Haugen, Kremen, Lundquist, McMullen, Patrick, Prince, Schmidt, C. Smith, Sutherland, Tanner, Thomas, Valle, Van Luven, J. Williams, K. Wilson and Zellinsky.

Absent: Representative Van Luven.

Passed to Committee on Rules for second reading.

February 12, 1985

HB 627 Prime Sponsor, Representative Tanner: Establishing the Washington state economic development board. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives McMullen, Chair; Kremen, Vice Chair; Braddock, Day, Dobbs, Doty, Hargrove, J. King, Lundquist, May, Niemi, Rayburn, Schmidt, Schoon, Scott, L. Smith, Smitherman, Tanner, Thomas, van Dyke, Vekich, B. Williams, and Wineberry.

Absent: Representative Silver.

Passed to Committee on Rules for second reading.

February 13, 1985

HJR 22 Prime Sponsor, Representative Cole: Removing 40% validation requirement for excess levy elections for public schools. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Ebersole, Chair; Valle, Vice Chair; Appelwick, Betrozoff, Chandler, Cole, Holland, Long, Peery, Rayburn, Rust, Schoon, Taylor, Todd, Walker and Wang.

Voting nay: Representatives Fuhrman and L. Smith.

Absent: Representative P. King.

Passed to Committee on Rules for second reading.

## SECOND READING

HOUSE BILL NO. 142, by Representatives Rayburn, Dellwo, Ballard and Baugher

Revising provisions relating to marriage licenses.

The bill was read the second time. Committee on Local Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 24th Day, February 6, 1985.)

Ms. Haugen moved adoption of the committee amendment to page 1, line 20.

Ms. Haugen spoke in favor of the amendment, and Mr. May spoke against it.

The amendment was not adopted.

On motion of Ms. Haugen, the committee amendment to page 2, line 28 was adopted.

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

HOUSE BILL NO. 152, by Representatives Grimm, Sommers, Vander Stoep and Basich

Increasing the amount of the initial biennial advance permitted each community college treasurer.

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

HOUSE BILL NO. 271, by Representatives Patrick, Walk, Betrozoff, Wineberry, Hankins, Valle, Van Luven, Gallagher, J. Williams, Prince, Baugher, Thomas, Kremen, Schmidt, McMullen, Bond, Zellinsky, Sutherland, S. Wilson, Winsley, May, van Dyke, Silver, Fisher and Day

Allowing assistance vans to stop on limited access facilities.

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

HOUSE BILL NO. 293, by Representatives Unsoeld, Sommers, Basich, Allen, Belcher, Madsen, Rayburn, Miller, K. Wilson, Niemi, McMullen, Grimm, G. Nelson, Hine, Locke, Braddock, Long, Vander Stoep and Winsley

Increasing members of the boards of trustees of the regional universities and The Evergreen State College.

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

HOUSE BILL NO. 91, by Representatives Sutherland, Lundquist, Sayan, Fisch, Nealey, Prince, Haugen, Schoon, Brough, C. Smith, Tanner and Isaacson

Providing a public benefit system for approving for classification and valuing open space land with no current use.

The bill was read the second time. On motion of Mr. Sutherland, Substitute House Bill No. 91 was substituted for House Bill No. 91, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 91 was read the second time.

Mr. Lundquist moved adoption of the following amendments by Representatives Lundquist and Sutherland:

On page 3, beginning on line 13 after "valued" strike "before January 1, 1987, and shall be valued after January 1, 1987,"

On page 3, line 19 after "authority" strike "shall" and insert "may"

On page 4, line 15 after "1986 and" strike all material through "1988" on line 16 and insert "thereafter"

Representatives Lundquist and Sutherland spoke in favor of the amendments, and they were adopted.

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

SENATE CONCURRENT RESOLUTION NO. 109, by Senator Goltz

Calling attention to the issue of liability in the transportation and storage of high-level and defense nuclear waste.

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

### THIRD READING

SUBSTITUTE HOUSE BILL NO. 52, by Committee on State Government (originally sponsored by Representatives Niemi, Belcher, Hankins, Vekich, Baugher and Walk)

Revising provisions relating to the human rights commission.

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

Representatives Niemi and Hankins spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 52, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J. King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Barrett, Fuhrman - 2.

Substitute 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.

SUBSTITUTE HOUSE BILL NO. 53, by Committee on State Government (originally sponsored by Representatives Belcher, Unsoeld, Addison, Hastings, Kremen, R. King, Sayan, P. King, Miller, Hankins and Peery; by Department of Community Development request)

Reauthorizing the Center for Voluntary Action.

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

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 53, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J. King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Barrett, Fuhrman - 2.

Substitute House Bill No. 53, having received the 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 K. Wilson, Lundquist, Sutherland and Brekke

Authorizing designees of state officials to sit on the interagency committee for outdoor recreation.

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

Ms. K. Wilson spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 92, and the bill passed the House by the following vote: Yeas, 94; nays, 2; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk,

Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representatives Hine, Taylor - 2.

Excused: Representatives Barrett, Fuhrman - 2.

House 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.

ENGROSSED HOUSE BILL NO. 99, by Representatives Zellinsky, Smitherman, Thomas, Haugen, Schmidt, Walk, Vander Stoep, Fuhrman, Hastings, G. Nelson, P. King, R. King and Nealy

Exempting fish farming from excise taxation.

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

Representatives Zellinsky, Schmidt and Taylor spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 99, and the bill passed the House by the following vote: Yeas, 86; nays, 10; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Ballard, Barnes, Basich, Baugher, Belcher, Betzoff, Bond, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson S, Winsley, Zellinsky - 86.

Voting nay: Representatives Armstrong, Braddock, Brekke, Fisher, Niemi, Rust, Sommers, Wilson K, Wineberry, and Mr. Speaker - 10.

Excused: Representatives Barrett, Fuhrman - 2.

Engrossed House 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.

SUBSTITUTE HOUSE BILL NO. 124, by Committee on State Government (originally sponsored by Representatives O'Brien, Belcher, Unsoeld and Isaacson; by Department of Community Development request)

Authorizing the defense, payment, or settlement of claims against volunteers of the state.

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

Representative O'Brien spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 124, and the bill passed the House by the following vote: Yeas, 95; nays, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representative Isaacson - 1.

Excused: Representatives Barrett, Fuhrman - 2.

Substitute House Bill No. 124, having received the 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. 151, by Representatives Nealey, Niemi, Fuhrman, Belcher, Chandler, May, Isaacson and Silver; by Secretary of State request

Authorizing expanded use of the state seal.

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

Representatives Nealey and Lewis spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 151, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Barrett, Fuhrman - 2.

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. 169, by Representatives Hine, Sayan, Patrick, Basich, Vekich, Barnes, Hargrove, Holland, Crane and Todd

Revising the use of and rent payments for certain public lands.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 169, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Barrett, Fuhrman - 2.

House Bill No. 169, having received the 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 Sayan, Betzoff, Wang, J. Williams, Hine, Barrett, Fisher, Addison, O'Brien, Hastings, Fisch, B. Williams, Cole, Ebersole, Niemi, Hankins, Locke, G. Nelson, P. King, Walker and Long

Regulating the practice of architecture.

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

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

#### POINT OF INQUIRY

Mr. Sayan yielded to question by Mr. J. Williams.

Mr. J. Williams: "Representative Sayan, is section 17(1) intended to create additional liability or responsibility for public building officials or the entities which they represent?"

Mr. Sayan: "No. The language is the same as in the present engineers' statute. Nothing in this bill changes existing law with respect to the responsibility of public officials to enforce the law or be cognizant of the law in their specific areas of jurisdictional or subject-matter authority."

Mr. J. Williams spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 409, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Barrett, Fuhrman - 2.

Engrossed House Bill No. 409, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE JOINT RESOLUTION NO. 12, by Representatives Peery, R. King, Wang, Walker, C. Smith, Patrick, Chandler, Ebersole, Valle, McMullen, O'Brien, Belcher, Lux, Baillard, B. Williams, Hargrove, K. Wilson, Long, Haugen, Unsoeld, Hine, Sutherland, Bristow and Day; by Joint Select Committee on Workers' Compensation request

Permitting investment of industrial insurance trust funds.

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

Representatives Peery, R. King, McMullen and B. Williams spoke in favor of the resolution, and Mr. Lundquist spoke against it.

Mr. Lux spoke in favor of the resolution and Mr. Lundquist again opposed it.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Taylor: "Mr. Speaker, how many votes does this require to pass?"

The Speaker: "It requires two-thirds of the members elected, sixty-six."

Mr. Peery spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Joint Resolution No. 12, and the resolution passed the House by the following vote: Yeas, 91; nays, 5; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Dobbs, Lewis, Lundquist, Nelson D, van Dyke - 5.

Excused: Representatives Barrett, Fuhrman - 2.

House Joint Resolution No. 12, having received the constitutional two-thirds majority, was declared passed.

SUBSTITUTE HOUSE BILL NO. 26, by Committee on Local Government (originally sponsored by Representatives Haugen, Brough and P. King )

Granting extensive self-government authority to counties, cities, and towns.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 26, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Barrett, Fuhrman - 2.

Substitute House 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.

SUBSTITUTE HOUSE BILL NO. 44, by Committee on Local Government (originally sponsored by Representatives Crane, Brough, Rayburn, May, Walk, Patrick, Hine, Bristow, Lundquist, Kremen, R. King, Schoon and Fisch)

Permitting family members to look at autopsy and post mortem reports.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 44, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Barrett, Fuhrman - 2.

Substitute House 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.

HOUSE BILL NO. 78, by Representatives Schmidt, Zellinsky and J. Williams; by Department of Transportation request

Authorizing fees for parking in state ferry facilities.

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

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

#### POINT OF INQUIRY

Ms. Schmidt yielded to question by Mr. Walk.

Mr. Walk: "Does the Department of Transportation plan to impose parking fees at all ferry terminal parking facilities?"

Ms. Schmidt: "No, this bill would only allow the department to impose parking fees; it does not mandate that they will establish parking fees. In testimony presented to the House Transportation Committee, the department indicated that the decision to charge parking fees will be made on a case-by-case basis where economically practical. There are many small lots where imposing parking fees would not be productive."

Mr. Walk: "Is the intent to charge high rates at these parking facilities?"

Ms. Schmidt: "Testimony by the DOT indicated that reasonable rates would be imposed, similar to the approximately two dollar per day now charged at Winslow."

Representatives Brough, Fisher and Fisch spoke against passage of the bill, and Representatives S. Wilson and Schmidt spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 78, and the bill passed the House by the following vote: Yeas, 55; nays, 41; excused, 2.

Voting yea: Representatives Armstrong, Ballard, Barnes, Betzoff, Bond, Bristow, Brooks, Chandler, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Gallagher, Grimm, Hankins, Hastings, Haugen, Holland, Isaacson, King J. Leonard, Long, Madsen, May, Nealey, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Tanner, Taylor, Tilly, Todd, Van Luven, Vander Stoep, Vekich, Walk, Walker, West, Williams B, Williams J, Wilson S, Winsley, Zellinsky - 55.

Voting nay: Representatives Addison, Allen, Appelwick, Basich, Baugher, Belcher, Braddock, Brekke, Brough, Cole, Fisch, Fisher, Hargrove, Hine, Jacobsen, King P, King R, Kremen, Lewis, Locke, Lundquist, Lux, McMullen, Miller, Nelson D, Nelson G, Niemi, Rayburn, Rust, Sayan, Scott, Sommers, Sutherland, Thomas, Unsoeld, Valle, van Dyke, Wang, Wilson K, Wineberry, and Mr. Speaker - 41.

Excused: Representatives Barrett, Fuhrman - 2.

House 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.

#### MOTION

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

#### RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 85-20, by Representatives Thomas, Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Ehlers, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, J. King, P. King, R. King, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, D. Nelson, G. Nelson, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, C. Smith, L. Smith, Smitherman, Sommers, Sutherland, Tanner, Taylor, Tilly, Todd, Unsoeld, Valle, Vander Stoep, van Dyke, Van Luven, Vekich, Walk, Walker, Wang, West, B. Williams, J. Williams, K. Wilson, S. Wilson, Wineberry, Winsley and Zellinsky

WHEREAS, The American activist Susan B. Anthony was born on this day in the year 1820 in Adams, Massachusetts; and

WHEREAS, Susan B. Anthony served as a school teacher for a brief fifteen years and then dedicated the remainder of her life to promoting vigorously three significant social reform movements: Temperance, antislavery, and most predominantly, woman's rights; and

WHEREAS, In 1848, Susan B. Anthony attended the First Woman's Rights Convention, in Seneca Falls, New York, and in 1852 was elected Secretary at the Third National Woman's Rights Convention; and

WHEREAS, Susan B. Anthony spoke publicly as early as 1854 for woman's necessary economic independence, stating that "Woman must have a purse of her own, and how can this be so as long as the law denies to the wife all right to both the individual and joint earnings?"; and

WHEREAS, In 1860, Susan B. Anthony succeeded in pushing the New York State Legislature to give married women a better legal status, including the right to control their own earnings and to sue in court; and

WHEREAS, Susan B. Anthony published the first edition of "The Revolution" in 1868, an outspoken, progressive newspaper that promoted reforms in the United States that would actualize this newspaper's motto: "The True Republic -- men, their rights and nothing more; women, their rights and nothing less"; and

WHEREAS, Susan B. Anthony, convinced that securing the right to vote was essential to the equality of woman, established, in 1869, the National Woman Suffrage Association that fought for a constitutional amendment enfranchising women; and

WHEREAS, In 1892, Susan B. Anthony was elected President of the National American Woman Suffrage Association; and

WHEREAS, Susan B. Anthony's life-long campaign for women's suffrage and the right of women to exercise all the rights guaranteed citizens by the Bill of Rights greatly contributed to the adoption of the nineteenth amendment and continued social reforms that have given American women greater freedom and equality today;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives does hereby proclaim Friday, February 15, 1985 as "Susan B. Anthony Day" in Washington State, and encourages all citizens to remember her contributions to developing a more egalitarian Republic.

Ms. Thomas moved adoption of the resolution. Representatives Thomas and Lux spoke in favor of the resolution and it was adopted.

HOUSE FLOOR RESOLUTION NO. 85-18, by Representatives Wang, Brough, Allen, Valle, Brekke, Hine, Sommers and Rust

WHEREAS, Sixty-five years ago on February 14, 1920 the League of Women Voters was formed to encourage citizens to learn how to carry out their responsibilities as voters and to take political action, with a focus on the importance of individuals working together to achieve an open and accountable government that is responsive; and

WHEREAS, The League of Women Voters is a nonpartisan volunteer organization whose membership is open to all citizens at the local, regional, state and national levels; and

WHEREAS, The League of Women Voters registers voters, monitors elections and publishes voter information; and

WHEREAS, The League of Women Voters studies public issues, produces public-issue fact books, presents public forums and goes to court in the public interest; and

WHEREAS, The League of Women Voters testifies at legislative and administrative hearings to assure citizen input in policy-making decisions, works with other organizations and speaks out on important issues;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington issues this Resolution in recognition of the League of Women Voters efforts to educate and involve citizens in the legislative process; and

BE IT FURTHER RESOLVED, That the House of Representatives requests that Governor Booth Gardner proclaim February 10 through 16, 1985 as League of Women Voters Week; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives transmit copies of this Resolution to the Governor and the League of Women Voters.

Mr. Wang moved adoption of the resolution. Representatives Wang, Brough and Taylor spoke in favor of the resolution, and it was adopted.

HOUSE FLOOR RESOLUTION NO. 85-16, by Representatives Scott, J. King, S. Wilson, Hine, Brekke, Allen, Miller, O'Brien, R. King, Wang, Rust, Prince, Winsley, Chandler, J. Williams, Sanders, Hastings, Tanner, Lux, Sayan, Jacobsen, Long, P. King, Dellwo, Day, Fisch, Hankins, Sutherland, Taylor, Sommers, Zellinsky, Holland, Ebersole, Haugen, Brooks, Basich, Belcher, Locke, Baugher, Niemi, Leonard, Cole, Smitherman, Fuhrman, May, Schmidt, Rayburn, Todd, Addison, Vekich, Crane, Appelwick, D. Nelson, Fisher, Schoon, Nealey, Madsen, Valle,

Gallagher, Barnes, McMullen, Braddock, Vander Stoep, Thomas, Peery, Kremen, Lewis, Unsoeld, Armstrong, Nutley, Bristow, Brough, Hargrove, Silver, K. Wilson, L. Smith, Patrick, C. Smith, Betrozoff, Van Luven, Lundquist, Wineberry, B. Williams, Barrett and Grimm

WHEREAS, Since January 1984, in the United States there have been over thirty reported incidents of criminal violence including bombings, arson and attempted arson against women's health care facilities; and

WHEREAS, All of those facilities have been damaged or destroyed as a result of arson or bombings; and

WHEREAS, Since December 1983, four of those occurrences have been in Washington State; and

WHEREAS, Criminal violence not only results in destruction of property, but also seriously jeopardizes the lives of patients and medical staff; and

WHEREAS, Criminal violence is unacceptable as a means to effect a change in public policy in our society;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That the increasing incidents of criminal violence against women's health care facilities be condemned; and

BE IT FURTHER RESOLVED, That the House of Representatives supports both vigorous investigation of these reprehensible acts and prosecution by every appropriate level of government.

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

Ms. L. Smith moved adoption of the following amendments by Representatives L. Smith, Hargrove and Bristow:

On page 1, on the second line of the fifth "WHEREAS" after "our society;" insert "and"

On page 1 after the fifth "WHEREAS" insert two new paragraphs that read as follows:

"WHEREAS, These violent instances poignantly manifest a symptom of violence and destruction of human life inside the clinics; and

WHEREAS, We encourage and applaud life-giving alternatives for pregnant women which offer assistance and support for both her and her child;"

On page 1, on the fourth line of the "BE IT FURTHER RESOLVED" paragraph, after "of government" strike the period and insert "; and"

On page 1, after the paragraph beginning "BE IT FURTHER RESOLVED" insert a new paragraph as follows:

"BE IT FURTHER RESOLVED, That not only the violence inside the clinics be condemned but, that positive life-giving alternatives to abortion be encouraged."

#### POINT OF ORDER

Mr. Locke: "Mr. Speaker, I would like a ruling on scope and object of these amendments."

#### SPEAKER'S RULING

The Speaker: "The Speaker has examined the amendments to House Floor Resolution No. 85-16. The subject of the resolution is criminal violence, including bombing and arson, which has been committed against certain women's health care facilities.

"The amendments to the resolution deal with the subject of abortion and alternatives thereto. The amendments change the scope and object of the resolution, therefore your point is well taken. The amendments are out of order."

Representatives Scott, Miller, L. Smith and Hargrove spoke in favor of the resolution, and Representative Bond spoke against it.

The resolution was adopted.

#### MOTIONS

On motion of Mr. J. King, HOUSE BILL NO. 415 was rereferred from Committee on Ways & Means to Committee on Trade & Economic Development.

On motion of Mr. J. King, HOUSE BILL NO. 629 was rereferred from Committee on Local Government to Committee on Education.

On motion of Mr. J. King, HOUSE BILL NO. 745 was rereferred from Committee on Social & Health Services to Committee on Judiciary.

On motion of Mr. J. King, HOUSE BILL NO. 958 was rereferred from Committee on Environmental Affairs to the Committee on Natural Resources.

On motion of Mr. J. King, HOUSE BILL NO. 1176 was rereferred from Committee on Commerce & Labor to Committee on Financial Institutions & Insurance.

MOTION

On motion of Mr. J. King, the House adjourned until 10:30 a.m., Monday, February 18, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk

## THIRTY-SIXTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Monday, February 18, 1985.

The House was called to order at 10:30 a.m. by the Speaker. The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Michelle Oltman and Toni Posey. Prayer was offered by Reverend Rick McGregor, Representative Ballard's son-in-law from Forest Grove, Oregon.

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

## SPEAKER'S PRIVILEGE

The Speaker recognized Kelly Ryan, the 1985 Wheat Queen, and appointed Representatives Prince, Nealey and Bristow to escort Queen Kelly to the rostrum.

Queen Kelly Ryan briefly addressed the House and the Speaker requested the committee to escort her from the House Chamber.

## MESSAGE FROM THE SENATE

February 15, 1985

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 3030,

SENATE BILL NO. 3325,

SENATE BILL NO. 3326,

SUBSTITUTE SENATE BILL NO. 3331,

ENGROSSED SENATE BILL NO. 3415.

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTIONS AND FIRST READING

SB 3030 by Senators McDermott, Gaspard, Zimmerman, Conner and von Reichbauer; by Legislative Budget Committee request

Enhancing accountability for publicly owned vehicles.

Referred to Committee on Transportation.

SB 3325 by Senators Owen, Newhouse, McManus, Sellar, Stratton, Vognild, Warnke, Moore and Benitz

Limiting the definition of financial interest for persons engaged in alcoholic beverage businesses.

Referred to Committee on Commerce & Labor.

SB 3326 by Senators Owen, Newhouse, Vognild, Sellar, Warnke, McManus, Moore and Benitz

Allowing multiple occasion use of special occasion liquor license.

Referred to Committee on Commerce & Labor.

SSB 3331 by Committee on Financial Institutions (originally sponsored by Senators Moore, Bender, Sellar, Owen, Vognild, Deccio and Newhouse)

Revising industrial loan company provisions.

Referred to Committee on Financial Institutions & Insurance.



ESB 3415 by Senators Bender, McDermott, Warnke, Sellar, Newhouse, Moore and Bottiger

Authorizing adjustable interest rates.

Referred to Committee on Financial Institutions & Insurance.

REPORTS OF STANDING COMMITTEES

February 15, 1985

HB 25 Prime Sponsor, Representative Haugen: Raising the debt limit for counties, cities, towns, and public hospital districts. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Allen, Bristow, Brough, Doty, Ebersole, Hine, Isaacson, May, Patrick, Rayburn and Winsley.

Voting nay: Representative Zellinsky.

Absent: Representatives Isaacson, Patrick and Smitherman.

Passed to Committee on Rules for second reading.

February 14, 1985

HB 41 Prime Sponsor, Representative Lux: Authorizing the commissioner to establish reasonable minimum standards in vehicle, property, and casualty insurance policies. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lux, Chair; Barrett, Crane, Dellwo, Locke, Nutley, Prince and Winsley.

Voting nay: Representatives Addison, Holland and P. King.

Absent: Representatives Zellinsky, Vice Chair; Grimm and West.

Passed to Committee on Rules for second reading.

February 14, 1985

HB 68 Prime Sponsor, Representative Dellwo: Providing additional requirements for the storage and cremation of human remains. Reported by Committee on Social & Health Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Brekke, Chair; Day, Vice Chair; Armstrong, Ballard, Braddock, Brooks, Dellwo, Dobbs, Leonard, Lewis, Lux, Padden, Scott, Tanner, West and Winsley.

Absent: Representative B. Williams.

Passed to Committee on Rules for second reading.

February 15, 1985

HB 105 Prime Sponsor, Representative Wang: Creating new superior court judicial positions. Reported by Committee on Rules

Referred to Committee on Ways & Means with proposed substitute.

February 15, 1985

HB 122 Prime Sponsor, Representative Fisher: Allowing payable deductions for political action committees of public employee organizations. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: Do pass. Signed by Representatives Fisher, Chair; Leonard, Vice Chair; Day, Fisch, Madsen and Sommers.

MINORITY recommendation: Do not pass. Signed by Representatives Barnes, Nealey and Walker.

Absent: Representatives Barrett and Miller.

Passed to Committee on Rules for second reading.

February 15, 1985

HB 173 Prime Sponsor, Representative D. Nelson: Permitting the optional designation of party preference on voters' registration forms. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 21 after "party" insert "or independent"

On page 1, line 23 after "party" insert "or independent"

On page 2, line 21 after "party" insert "or independent"

Signed by Representatives Fisher, Chair; Leonard, Vice Chair; Barnes, Day, Fisch, Madsen, Nealey, Sommers and Walker.

Absent: Representatives Barrett and Miller.

Passed to Committee on Rules for second reading.

February 14, 1985

HB 211 Prime Sponsor, Representative Betrozoff: Establishing requirements for home schooling. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ebersole, Chair; Valle, Vice Chair; Betrozoff, Chandler, Holland, P. King, Long, Peery, Taylor, Todd and Walker.

MINORITY recommendation: Do not pass. Signed by Representatives Appelwick, Cole, Rayburn, Rust, Schoon, L. Smith and Wang.

Absent: Representative Fuhrman.

Passed to Committee on Rules for second reading.

February 15, 1985

HB 213 Prime Sponsor, Representative Haugen: Modifying port commissioners' insurance. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Allen, Bristow, Brough, Doty, Ebersole, Hine, Isaacson, May, Patrick, Rayburn, Winsley and Zellinsky.

Absent: Representatives Patrick and Smitherman.

Passed to Committee on Rules for second reading.

February 15, 1985

HB 230 Prime Sponsor, Representative D. Nelson: Requiring disclosure by legislators and the lieutenant governor of business arrangements involving compensation during legislative sessions. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fisher, Chair; Leonard, Vice Chair; Day, Fisch, Madsen and Sommers.

Voting nay: Representatives Barnes, Nealey and Walker.

Absent: Representatives Barrett and Miller.

Passed to Committee on Rules for second reading.

February 14, 1985

HB 246 Prime Sponsor, Representative Day: Prohibiting nursing homes from discriminating against medical assistance recipients. Reported by Committee on Social & Health Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Brekke, Chair; Day, Vice Chair; Armstrong, Ballard, Braddock, Brooks, Dellwo, Dobbs, Leonard, Lewis, Lux, Padden, Scott, Tanner, West and Winsley.

Absent: Representatives B. Williams.

Passed to Committee on Rules for second reading.

February 15, 1985

HB 294 Prime Sponsor, Representative Sanders: Removing the authority of the game department to pay claims for or prevent damage by wildlife. Reported by Committee on Rules

Referred to Committee on Agriculture with proposed substitute.

February 15, 1985

HB 348 Prime Sponsor, Representative Locke: Revising sentencing provisions. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Hargrove, P. King, Lewis, Locke, G. Nelson, Niemi, Padden, Schoon, Tilly, West and Wang.

Voting nay: Representatives Dellwo and Schmidt.

Absent: Representatives Niemi and Van Luven.

Passed to Committee on Rules for second reading.

February 12, 1985

HB 490 Prime Sponsor, Representative Walk: Adopting the supplemental transportation budget. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walk, Chair; Wineberry, Vice Chair; Baugher, Betzoff, Bond, Brough, Fisch, Fisher, Gallagher, Hankins, Haugen, Kremen, Lundquist, McMullen, Patrick, Prince, C. Smith, Tanner, Thomas, Valle, Van Luven, J. Williams, K. Wilson and Zellinsky.

Absent: Representatives Lundquist and Sutherland.

Passed to Committee on Rules for second reading.

February 15, 1985

HB 627 Prime Sponsor, Representative Tanner: Establishing the Washington state economic development board. Reported by Committee on Rules

Referred to Committee on Ways & Means with proposed substitute.

#### SECOND READING

HOUSE BILL NO. 14, by Representatives Sutherland and Sayan

Modifying provisions relating to salmon angling licenses.

The bill was read the second time. On motion of Mr. Sutherland, Substitute House Bill No. 14 was substituted for House Bill No. 14, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 14 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 16, by Representatives Sayan, R. King, Patrick, Wang, Winsley, Sutherland, Fisch, Gallagher, Isaacson, Belcher, Hankins, Allen and Baugher

Modifying provisions relating to payment of the prevailing wage.

The bill was read the second time. On motion of Mr. Wang, Substitute House Bill No. 16 was substituted for House Bill No. 16, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 16 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 32, by Representatives R. King, Fisch, Miller, Wang, Winsley, Allen, Fisher, O'Brien, P. King, Sayan, Basich, McMullen, Lux, Brekke and Rayburn  
Providing collective bargaining for institutions of higher education.

The bill was read the second time. On motion of Mr. Wang, Substitute House Bill No. 32 was substituted for House Bill No. 32, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 32 was read the second time.

#### MOTION

On motion of Mr. Appelwick, further consideration of Substitute House Bill No. 32 was deferred, and the bill was ordered placed at the bottom of today's second reading calendar.

HOUSE BILL NO. 139, by Representatives Locke, Sommers, Brough and Haugen  
Authorizing cities to be responsible for enforcement of uniform fire code in air navigation facilities.

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

HOUSE BILL NO. 149, by Representatives Nutley, B. Williams and Haugen  
Clarifying under what conditions a county treasurer shall prepare distraint papers.

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

HOUSE BILL NO. 158, by Representatives Winsley, Dellwo, P. King, Schoon and Isaacson; by Department of Licensing request

Requiring payment of a fee for reinstatement of a driver's license suspended for a financial responsibility violation.

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

HOUSE BILL NO. 243, by Representatives Hargrove, Lundquist and Haugen  
Authorizing a voluntary food fish or shellfish license suspension program in conservation crisis.

The bill was read the second time. On motion of Mr. Sutherland, Substitute House Bill No. 243 was substituted for House Bill No. 243, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 243 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 274, by Representatives Sanders, Leonard, J. Williams, Cole, Fuhrman, Dobbs, Lundquist, Sutherland and Isaacson

Revising the requirements of a conservation license.

The bill was read the second time. On motion of Mr. Sutherland, Substitute House Bill No. 274 was substituted for House Bill No. 274, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 274 was read the second time.

On motion of Mr. Appelwick, further consideration of Substitute House Bill No. 274 was deferred, and the bill was ordered placed on the bottom of the second reading calendar.

#### MOTION

On motion of Mr. Appelwick, HOUSE BILL NO. 278 was rereferred from the second reading calendar to Committee on Ways & Means.

HOUSE BILL NO. 303, by Representatives Gallagher and O'Brien; by Utilities and Transportation Commission request

Redefining water company for purposes of public utilities regulations.

The bill was read the second time. On motion of Mr. D. Nelson, Substitute House Bill No. 303 was substituted for House Bill No. 303, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 303 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 312, by Representatives O'Brien, P. King, Long, Smitherman, Holland, Wang, L. Smith and Day

Revising the minimum school hours and day requirements for private schools.

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

HOUSE BILL NO. 464, by Representatives Patrick, Sutherland, Sanders, Leonard, Isaacson, Sayan, Dobbs, Haugen, Lundquist, J. Williams, van Dyke and Cole

Restricting the sale of wildlife skins and furs at auction.

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

#### THIRD READING

SUBSTITUTE HOUSE BILL NO. 86, by Committee on State Government (originally sponsored by Representatives Walk, Schmidt, S. Wilson, Gallagher, J. Williams and Fisch)

Directing civil service exemption for certain positions within the department of transportation.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 86, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nulley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luvan, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute 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.

SUBSTITUTE HOUSE BILL NO. 94, by Committee on Local Government (originally sponsored by Representatives Winsley, Ebersole, Gallagher, Smitherman, Wang, Walker and Fisher)

Changing the method of appointing a public health director.

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

Representatives Winsley and Haugen spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Ms. Winsley yielded to question by Mr. Smitherman.

Mr. Smitherman: "Representative Winsley, does the mayor of the City of Tacoma support this measure?"

Ms. Winsley: "Yes. This is a position that both the mayor and the county executive like. I don't think the mayor likes to be in a position of having to do both the appointments and the removal. Now this will be a shared responsibility with the county executive."

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 94, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute House 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.

SUBSTITUTE HOUSE BILL NO. 137, by Committee on Transportation (originally sponsored by Representatives C. Smith, Zellinsky, Lundquist, Prince, Bond and Chandler)

Permitting freight compartments on truck tractors.

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

Representatives C. Smith and Walk spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 137, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 137, having received the 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. 142, by Representatives Rayburn, Dellwo, Ballard and Baugher

Revising provisions relating to marriage licenses.

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

Representatives Rayburn and Brough spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 142, and the bill passed the House by the following vote: Yeas, 93; nays, 5.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd,

Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives Addison, Fuhrman, Nealey, Padden, West - 5.

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 Grimm, Sommers, Vander Stoep and Basich

Increasing the amount of the initial biennial advance permitted each community college treasurer.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 152, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

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. 271, by Representatives Patrick, Walk, Betrozoff, Wineberry, Hankins, Valle, Van Luven, Gallagher, J. Williams, Prince, Baugher, Thomas, Kremen, Schmidt, McMullen, Bond, Zellinsky, Sutherland, S. Wilson, Winsley, May, van Dyke, Silver, Fisher and Day

Allowing assistance vans to stop on limited access facilities.

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

Mr. Patrick spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 271, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

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.

HOUSE BILL NO. 293, by Representatives Unsoeld, Sommers, Basich, Allen, Belcher, Madsen, Rayburn, Miller, K. Wilson, Niemi, McMullen, Grimm, G. Nelson, Hine, Locke, Braddock, Long, Vander Stoep and Winsley

Increasing members of the boards of trustees of the regional universities and The Evergreen State College.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 293, and the bill passed the House by the following vote: Yeas, 94; nays, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representatives Haugen, Sanders, Schmidt, Williams J - 4.

House Bill No. 293, having received the 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. 91, by Committee on Natural Resources (originally sponsored by Representatives Sutherland, Lundquist, Sayan, Fisch, Nealey, Prince, Haugen, Schoon, Brough, C. Smith, Tanner and Isaacson)

Providing a public benefit system for approving for classification and valuing open space land with no current use.

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

Representatives Sutherland and Lundquist spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 91, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Engrossed Substitute House 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.

SUBSTITUTE HOUSE BILL NO. 108, by Committee on Constitution, Elections and Ethics (originally sponsored by Representatives Miller, Fisher, Fisch, Barrett, Barnes, Walker, Winsley, Hastings, Leonard and Silver; by Secretary of State request)

Requiring declarations of candidacy from write-in candidates.

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

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



## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 108, and the bill passed the House by the following vote: Yeas, 97; nays, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Voting nay: Representative West - 1.

Substitute House Bill No. 108, having received the 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. 109, by Senator Goltz

Calling attention to the issue of liability in the transportation and storage of high-level and defense nuclear waste.

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

Representatives D. Nelson and Long spoke in favor of the resolution, and Representative Isaacson spoke against it.

Senate Concurrent Resolution No. 109 was adopted.

## RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 85-19, by Representatives Basich, Vekich, Sayan, Hargrove and Fisch

WHEREAS, The United States Navy is conducting a search for a base for two Cardinal Class Mine Sweeper-Hunter vessels; and

WHEREAS, Grays Harbor is being considered by the Navy for such an installation; and

WHEREAS, Grays Harbor has the capability of handling such an installation; and

WHEREAS, The elected officials and many residents of Grays Harbor have expressed great interest and support for such an installation;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington does hereby endorse and heartily support the establishment of a United States Navy Mine Sweeper-Hunter Base at Grays Harbor; and

BE IT FURTHER RESOLVED, That the House of Representatives of the State of Washington encourages appropriate agencies of the State of Washington to cooperate with Grays Harbor County officials to facilitate the review and consideration of this project, including applications for grants or loans, permits, and other authorizations; and

BE IT FURTHER RESOLVED, That the House of Representatives of the State of Washington does hereby direct that copies of this Resolution be transmitted by the Chief Clerk of the House of Representatives to the Honorable Ronald Reagan, President of the United States; the President of the United States Senate, the Speaker of the United States House of Representatives, the Secretary of the Navy, and each member of Congress from the State of Washington, and the directors of all departments of the State of Washington.

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

HOUSE FLOOR RESOLUTION NO. 85-21, by Representatives Sayan, Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Ehlers, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, J. King, P. King, R. King, Kremen, Lewis, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, D. Nelson, G. Nelson, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Schmidt, Schoon, Scott, Silver, C. Smith, L. Smith, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Vaile, Vander Stoep, van Dyke, Van Luven, Vekich, Walk, Walker, Wang, West, B. Williams, J. Williams, K. Wilson, S. Wilson, Wineberry, Winsley and Zellinsky

WHEREAS, The national security depends on the state of readiness of our armed forces; and

WHEREAS, Readiness in the "Total Force Concept" presupposes guard and reserve units trained and retrained in the operation of state-of-the-art equipment; and

WHEREAS, Individuals comprising Washington Guard and Reserve units are dependent upon the cooperative support of their employers; and

WHEREAS, Washington employers have responded generously to this civic responsibility; and

WHEREAS, The cooperative spirit of Washington employers has resulted in benefits for all of the citizens of the State of Washington and the nation;

NOW, THEREFORE, BE IT RESOLVED, That the citizens of the State of Washington through their elected representatives express their appreciation to those enlightened employers whose support of the Guard and Reserve has contributed to the security of our nation and has made possible an important, cost effective component of our national "Total Force Concept."

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

#### MOTION

On motion of Mr. J. King, the House was adjourned until 10:30 a.m., Wednesday, February 20, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk

## THIRTY-EIGHTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, February 20, 1985.

The House was called to order at 10:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Todd and Mr. Speaker. The Speaker was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Kristin Hudson and Greg Wright. Prayer was offered by Dr. Russell Orr from Seattle.

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

## MESSAGES FROM THE SENATE

February 18, 1985

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 3081,  
SUBSTITUTE SENATE BILL NO. 3781,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

February 19, 1985

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3088,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 3116,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

February 19, 1985

Mr. Speaker:

The President has signed:

SENATE CONCURRENT RESOLUTION NO. 109,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTIONS AND FIRST READING

SB 3081 by Senators Warnke and Newhouse

Authorizing reciprocal agreements with other states to collect claims payable to the department of labor and industries.

Referred to Committee on Commerce & Labor.

SSB 3088 by Committee on Judiciary (originally sponsored by Senators Talmadge and Halsan)

Revising provisions relating to emergency assistance.

Referred to Committee on Judiciary.

ESSB 3116 by Committee on Natural Resources (originally sponsored by Senators Patterson, Owen, Hansen and Metcalf)

Modifying provisions relating to damage being done by wildlife.

Referred to Committee on Natural Resources.

SSB 3781 by Committee on Transportation (originally sponsored by Senators Peterson and Patterson; by Washington State Patrol request)

Authorizing state patrol sergeant and lieutenant examinations to be held every two years.

Referred to Committee on Transportation.

#### MOTION

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

#### REPORTS OF STANDING COMMITTEES

February 18, 1985

HB 1 Prime Sponsor, Representative Belcher: Establishing a pilot-scale management assessment and training program. Reported by Committee on Rules

Referred to Committee Ways & Means.

February 15, 1985

HB 12 Prime Sponsor, Representative Tilly: Expanding television reception improvement districts to include FM radio. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass. Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong, Barnes, Gallagher, Isaacson, Jacobsen, Long, Madsen, Miller, Nealey, Sutherland, Unsoeld and Van Luven.

Absent: Representative Bond.

Passed to Committee on Rules for second reading.

February 15, 1985

HB 101 Prime Sponsor, Representative Patrick: Revising requirements for chance drawings by in-state grocery retail outlets. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Betrozoff, Chandler, Ebersole, Fisch, Fisher, O'Brien, Patrick and C. Smith.

MINORITY recommendation: Without recommendation. Signed by Representatives R. King, Sayan, Walker and J. Williams.

Passed to Committee on Rules for second reading.

February 15, 1985

HB 205 Prime Sponsor, Representative Lux: Authorizing a limited offering exemption to the securities act. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Addison, Barrett, Crane, Holland, P. King, Locke, Nutley, Prince, West and Winsley.

Absent: Representatives Grimm and West.

Passed to Committee on Rules for second reading.

February 18, 1985

HB 262 Prime Sponsor, Representative Ebersole: Eliminating certain obsolete provisions from Title 28A RCW. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ebersole, Chair; Valle, Vice Chair; Appelwick, Betrozoff, Cole, Fuhrman, Holland, P. King, Long, Peery, Rayburn, Rust, Schoon, L. Smith, Taylor, Todd, Walker and Wang.

Absent: Representative Chandler.

Passed to Committee on Rules for second reading.

February 18, 1985

HB 268 Prime Sponsor, Representative Tanner: Allowing institutional industries to purchase products and services for resale. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass. Signed by Representatives Brekke, Chair; Day, Vice Chair; Armstrong, Ballard, Braddock, Brooks, Dellwo, Dobbs, Leonard, Lewis, Lux, Padden, Scott and Winsley.

Absent: Representatives Tanner, West and S. Wilson.

Passed to Committee on Rules for second reading.

February 19, 1985

HB 272 Prime Sponsor, Representative Scott: Allowing admission of children's statements in criminal and dependency proceedings. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, P. King, G. Nelson, Niemi, Padden, Schmidt, Tilly, Van Luven, West and Wang.

Absent: Representatives Lewis, Locke, Schoon and Tilly.

Passed to Committee on Rules for second reading.

February 15, 1985

HB 279 Prime Sponsor, Representative Haugen: Extending confidentiality privilege to cover meetings of public hospital commissions when discussing specified status of health care providers. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Allen, Bristow, Brough, Doty, Ebersole, Hine, Isaacson, May, Patrick, Rayburn, Winsley and Zellinsky.

Absent: Representatives Isaacson, Patrick and Smitherman.

Passed to Committee on Rules for second reading.

February 18, 1985

HB 318 Prime Sponsor, Representative Walk: Extending the current Advance Construction-Interstate Highway bond authorization to 1989. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Wineberry, Vice Chair; Baugher, Betzoff, Bond, Brough, Fisch, Fisher, Gallagher, Hankins, Haugen, Kremen, Lundquist, McMullen, Patrick, Schmidt, C. Smith, Tanner, Thomas, Van Luven, J. Williams, K. Wilson and Zellinsky.

Absent: Representatives Patrick, Prince, Sutherland, Valle and K. Wilson.

Passed to Committee on Rules for second reading.

February 18, 1985

HB 321 Prime Sponsor, Representative Walk: Giving the county road administration board more responsibility over county road moneys. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walk, Chair; Wineberry, Vice Chair; Baugher, Betzoff, Bond, Fisch, Fisher, Gallagher, Hankins, Haugen, Kremen, Lundquist, McMullen, Patrick, Schmidt, C. Smith, Tanner, Thomas, J. Williams, K. Wilson and Zellinsky.

Absent: Representatives Patrick, Prince, C. Smith, Sutherland and Valle.

Passed to Committee on Rules for second reading.

February 15, 1985

HB 336 Prime Sponsor, Representative Madsen: Extending the governor's powers to declare energy emergencies. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass. Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong, Barnes, Gallagher, Isaacson, Jacobsen, Long, Madsen, Miller, Nealey, Sutherland, Unsoeld and Van Luven.

Absent: Representative Bond.

Passed to Committee on Rules for second reading.

February 18, 1985

HB 357 Prime Sponsor, Representative Brekke: Establishing procedures for the disclosure by state agencies of personal records for research purposes. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass. Signed by Representatives Brekke, Chair; Day, Vice Chair; Armstrong, Ballard, Braddock, Brooks, Dellwo, Leonard, Lewis, Lux, Scott, Tanner and Winsley.

MINORITY recommendation: Do not pass. Signed by Representatives Dobbs and Padden.

Voting nay: Representatives Dobbs, Padden and S. Wilson.

Absent: Representatives Lewis and West.

Passed to Committee on Rules for second reading.

February 18, 1985

HB 366 Prime Sponsor, Representative Grimm: Providing for instruction in Spanish and Japanese in grades one through six. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ebersole, Chair; Valle, Vice Chair; Appelwick, Betzoff, Cole, P. King, Long, Peery, Rayburn, Rust, Todd, Walker and Wang.

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

Voting nay: Representatives Fuhrman, Holland, Schoon, L. Smith and Taylor.

Absent: Representative Chandler.

Passed to Committee on Rules for second reading.

February 19, 1985

HB 390 Prime Sponsor, Representative Armstrong: Modifying the amount a garnishee is required to hold. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, G. Nelson, Schmidt, Tilly, Van Luven, West and Wang.

Voting nay: Representatives P. King, Niemi and Padden.

Absent: Representatives Lewis, Locke and Schoon.

Passed to Committee on Rules for second reading.

February 19, 1985

HB 392 Prime Sponsor, Representative Baugher: Repealing the laws requiring the purchase by the state of fuel produced in this state. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Belcher, Chair; Peery, Vice Chair; Baugher, Brooks, Fuhrman, Hankins, Sanders, Taylor, van Dyke, Vekich and Walk.

Absent: Representatives O'Brien, Taylor and Todd.

Passed to Committee on Rules for second reading.

February 19, 1985

HB 405 Prime Sponsor, Representative Baugher: Repealing provisions relating to state purchases of foreign-made items. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Belcher, Chair; Peery, Vice Chair; Baugher, Brooks, Fuhrman, Hankins, Sanders, Taylor, van Dyke, Vekich and Walk.

Absent: Representatives O'Brien and Todd.

Passed to Committee on Rules for second reading.

February 15, 1985

HB 428 Prime Sponsor, Representative Fisch: Revising education requirements for real estate license application. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Betzoff, Chandler, Ebersole, Fisch, Fisher, R. King, O'Brien, Patrick, Sayan, C. Smith, Walker and J. Williams.

Passed to Committee on Rules for second reading.

February 15, 1985

HB 520 Prime Sponsor, Representative Lux: Revising industrial loan company provisions. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Addison, Barrett, Crane, Dellwo, Holland, P. King, Nutley, Prince, West and Winsley.

Voting nay: Representative Locke.

Absent: Representative Grimm.

Passed to Committee on Rules for second reading.

February 15, 1985

HB 543 Prime Sponsor, Representative Hankins: Establishing uniform laws on city consolidation. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Allen, Bristow, Brough, Doty, Ebersole, Hine, Isaacson, May, Patrick, Rayburn, Winsley and Zellinsky.

Absent: Representatives Patrick and Smitherman.

Passed to Committee on Rules for second reading.

February 18, 1985

HB 610 Prime Sponsor, Representative Brekke: Modifying provisions relating to the board of health. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 23 after "development of" insert "public"

On page 12, beginning with "Sec. 15." on line 9 strike all the material down to and including "RCW." on page 18, line 33

Renumber the remaining sections consecutively.

On page 1, line 4 of the title beginning with "70.41.010" strike all material down to and including "70.41.190." on line 6.

Signed by Representatives Brekke, Chair; Day, Vice Chair; Armstrong, Ballard, Braddock, Brooks, Dellwo, Dobbs, Leonard, Lewis, Lux, Padden, Scott and Winsley.

Absent: Representatives Tanner, West and S. Wilson.

Passed to Committee on Rules for second reading.

February 15, 1985

HB 837 Prime Sponsor, Representative Hargrove: Establishing the center for international trade in forest products. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives McMullen, Chair; Kremen, Vice Chair; Braddock, Day, Dobbs, Doty, Hargrove, J. King, Lundquist, May, Niemi, Rayburn, Schmidt, Schoon, Scott, Silver, L. Smith, Smitherman, Tanner, Thomas, van Dyke, Vekich, B. Williams and Wineberry.

Passed to Committee on Rules for second reading.

February 18, 1985

HB 926 Prime Sponsor, Representative Sommers: Extending the Thomas Burke Memorial Washington State Museum of the University of Washington. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass with the following amendment:  
On page 1, line 16 after "anthropological," strike "geographical" and insert "geological"

Signed by Representatives Sommers, Chair; Jacobsen, Vice Chair; Allen, Basich, Belcher, Hastings, Miller, D. Nelson, G. Nelson, Silver, Unsoeld, Vander Stoep, K. Wilson and Wineberry.

Absent: Representative Prince.

Passed to Committee on Rules for second reading.

February 15, 1985

HB 1061 Prime Sponsor, Representative Rayburn: Establishing a trade assistance center. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives McMullen, Chair; Kremen, Vice Chair; Braddock, Day, Dobbs, Doty, Hargrove, J. King, Lundquist, May, Niemi, Rayburn, Schmidt, Schoon, Scott, Silver, L. Smith, Smitherman, Tanner, Thomas, van Dyke, Vekich, B. Williams and Wineberry.

Passed to Committee on Rules for second reading.

February 15, 1985

HB 1063 Prime Sponsor, Representative Rayburn: Authorizing a permanent international marketing program for agricultural commodities and trade impact center. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives McMullen, Chair; Kremen, Vice Chair; Braddock, Day, Dobbs, Doty, Hargrove, J. King, Lundquist, May, Niemi, Rayburn, Schmidt, Schoon, Scott, Silver, L. Smith, Smitherman, Tanner, Thomas, van Dyke, Vekich, B. Williams and Wineberry.

Passed to Committee on Rules for second reading.

February 19, 1985

HB 1074 Prime Sponsor, Representative Peery: Authorizing self-funding or self-insurance by the state employees' insurance board. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Belcher, Chair; Peery, Vice Chair; Baugher, Brooks, Hankins, Taylor, Todd, Vekich and Walk.

MINORITY recommendation: Do not pass. Signed by Representatives Fuhrman, Sanders and van Dyke.

Absent: Representative O'Brien.

Passed to Committee on Rules for second reading.



February 15, 1985

HB 1079 Prime Sponsor, Representative Peery: Authorizing sales tax deferrals for investment projects. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives McMullen, Chair; Kremen, Vice Chair; Braddock, Day, Dobbs, Doty, Hargrove, J. King, Lundquist, May, Niemi, Rayburn, Schoon, Scott, Silver, L. Smith, Smitherman, Tanner, Thomas, van Dyke, Vekich, B. Williams and Wineberry.

Absent: Representative Schmidt.

Passed to Committee on Rules for second reading.

February 19, 1985

HJM 12 Prime Sponsor, Representative Thomas: Requesting Congress to retain the small business administration. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives McMullen, Chair; Kremen, Vice Chair; Braddock, Day, Dobbs, Doty, Hargrove, J. King, Lundquist, May, Niemi, Rayburn, Schmidt, Schoon, Scott, Silver, L. Smith, Smitherman, Tanner, Thomas, van Dyke, Vekich, B. Williams and Wineberry.

Passed to Committee on Rules for second reading.

February 19, 1985

HJR 42 Prime Sponsor, Representative Baugher: Permitting agricultural assessments for agricultural development or trade promotion as a public use. Reported by Committee on Agriculture

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Baugher, Vice Chair; Ballard, Bristow, Brooks, Chandler, Doty, Kremen, Madsen, Nealey and Peery.

Passed to Committee on Rules for second reading.

February 18, 1985

ESB 3098 Prime Sponsor, Senator Bauer: Revising the requirements for superintendents for the schools for the deaf and the blind. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass. Signed by Representatives Brekke, Chair; Day, Vice Chair; Ballard, Braddock, Brooks, Dellwo, Dobbs, Leonard, Lewis, Padden, Scott, West, S. Wilson and Winsley.

Absent: Representatives Armstrong, Ballard and Lux.

Passed to Committee on Rules for second reading.

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

### THIRD READING

SUBSTITUTE HOUSE BILL NO. 14, by Committee on Natural Resources (originally sponsored by Representatives Sutherland and Sayan)

Modifying provisions relating to salmon angling licenses.

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

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

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 14, and the bill passed the House by the following vote: Yeas, 96; absent, 1; excused, 1.

Voting yeas: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J. King

P. King R. Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky - 96.

Absent: Representative Todd - 1.

Excused: Mr. Speaker - 1.

Substitute House Bill No. 14, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Todd appeared at the bar of the House.

SUBSTITUTE HOUSE BILL NO. 16, by Committee on Commerce and Labor (originally sponsored by Representatives Sayan, R. King, Patrick, Wang, Winsley, Sutherland, Fisch, Gallagher, Isaacson, Belcher, Hankins, Allen and Baugher)

Modifying provisions relating to payment of the prevailing wage.

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

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

#### POINT OF INQUIRY

Mr. Sayan yielded to question by Mr. Patrick.

Mr. Patrick: "Representative Sayan, does this bill intend to protect employers from frivolous complaints?"

Mr. Sayan: "Yes, Representative Patrick, the Department of Labor and Industries screened all complaints as part of the initial investigative process before he considered a more detailed investigation. The process here is intended to operate similarly to unfair labor practice procedures under labor relations statutes where charges are filed but no investigation of employee records is taken on charges unless they appear to be meritorious. This is an area that can be and should be handled through agency rules. It also reflects current practice as has been reported to us by the Department of Labor and Industries."

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 16, and the bill passed the House by the following vote: Yeas, 85; nays, 12; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brough, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nelson D, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky - 85.

Voting nay: Representatives Ballard, Barnes, Bond, Brooks, Chandler, Fuhrman, Hastings, Nealey, Nelson G, Padden, Smith C, Tilly - 12.

Excused: Mr. Speaker - 1.

Substitute House Bill No. 16, having received the 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. 139, by Representatives Locke, Sommers, Brough and Haugen

Authorizing cities to be responsible for enforcement of uniform fire code in air navigation facilities.

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

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

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 139, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky - 97.

Excused: Mr. Speaker - 1.

House Bill No. 139, having received the 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. 149, by Representatives Nutley, B. Williams, and Haugen

Clarifying under what conditions a county treasurer shall prepare distraint papers.

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

Representatives Nutley and Bond spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 149, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky - 97.

Excused: Mr. Speaker - 1.

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.

HOUSE BILL NO. 158, by Representatives Winsley, Dellwo, P. King, Schoon and Isaacson; by Department of Licensing request

Requiring payment of a fee for reinstatement of a driver's license suspended for a financial responsibility violation.

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

Ms. Winsley spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 158, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky - 97.

Excused: Mr. Speaker - 1.

House 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.

SUBSTITUTE HOUSE BILL NO. 243, by Committee on Natural Resources (originally sponsored by Representatives Hargrove, Lundquist and Haugen)

Authorizing a voluntary food fish or shellfish license suspension program in conservation crisis.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 243, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky - 97.

Excused: Mr. Speaker - 1.

Substitute 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.

SUBSTITUTE HOUSE BILL NO. 303, by Committee on Energy and Utilities (originally sponsored by Representatives Gallagher and O'Brien; by Utilities and Transportation Commission request)

Redefining water company for purposes of public utilities regulations.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 303, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky - 97.

Excused: Mr. Speaker - 1.

Substitute House Bill No. 303, having received the 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. 312, by Representatives O'Brien, P. King, Long, Smitherman, Holland, Wang, L. Smith and Day

Revising the minimum school hours and day requirements for private schools.

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

Representatives Ebersole and Betrozoff spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 312, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky - 97.

Excused: Mr. Speaker - 1.

House Bill No. 312, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 464, by Representatives Patrick, Sutherland, Sanders, Leonard, Isaacson, Sayan, Dobbs, Haugen, Lundquist, J. Williams, van Dyke and Cole

Restricting the sale of wildlife skins and furs at auction.

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

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

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 464, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky - 97.

Excused: Mr. Speaker - 1.

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.

There being no objection, the House reverted to the sixth order of business.

## SECOND READING

HOUSE BILL NO. 62, by Representatives Valle, Allen, Rust, Patrick, Sommers, Isaacson, Haugen, Silver, Lux, Nealey, D. Nelson, Lewis, Leonard, Holland, Appelwick, Ebersole, Brekke, Sanders, Jacobsen, Bond, Unsoeld, Braddock, R. King, Wineberry, Todd, Chandler, Dellwo, Locke, Grimm, Brough, Van Luven, Betrozoff, Long, Dobbs and Tanner

Prohibiting smoking in certain public places.

The bill was read the second time. On motion of Ms. Rust, Substitute House Bill No. 62 was substituted for House Bill No. 62, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 62 was read the second time.

Mr. J. Williams moved adoption of the following amendments:

On page 1, line 18 strike "regardless of whether" and insert "if"

On page 1, line 19 strike "private persons or entities"

Mr. J. Williams spoke in favor of the amendments, and Ms. Rust spoke against them.

The amendments were not adopted.

Mr. J. Williams moved adoption of the following amendment:  
On page 1, line 28 after "chambers" strike "and immediately adjacent hallways"

Mr. J. Williams spoke in favor of the amendment, and Ms. Rust opposed it.

#### POINT OF INQUIRY

Mr. J. Williams yielded to question by Mr. C. Smith.

Mr. C. Smith: "Representative Williams, since I am a supporter of the bill--I mean the part that applies to the House--does this mean then that there would be no smoking in the House wings?"

Mr. J. Williams: "Representative Smith, the bill is written to include a no-smoking ban in the wings, hallways, adjacent chambers and immediately adjacent hallways. So, as written, the bill would deny smoking in the wings."

The amendment was not adopted.

The Clerk read the following amendment by Representative J. Williams:  
On page 2, line 3 after "residence" insert "or private business"

With the consent of the House, Mr. J. Williams withdrew the amendment.

Mr. J. Williams moved adoption of the following amendment:  
On page 5, line 3 strike "PART II" and everything below through page 8, line 2.

Representatives J. Williams, West, Zellinsky, Bond and McMullen spoke in favor of the amendment, and Representatives Rust and Valle spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative J. Williams to page 5, line 3 of Substitute House Bill No. 62, and the amendment was adopted by the following vote: Yeas, 56; nays, 40; absent, 1; excused, 1.

Voting yea: Representatives Allen, Ballard, Barrett, Basich, Betzoff, Bond, Braddock, Brooks, Chandler, Crane, Day, Dobbs, Doty, Ebersole, Fisher, Fuhrman, Gallagher, Hankins, Hastings, Haugen, King J, Kremen, Lundquist, Madsen, May, McMullen, Nealey, Nelson G, Niemi, Nutley, Padden, Peery, Prince, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Vekich, Walker, Wang, West, Williams B, Williams J, Wilson S, Wineberry, Winsley, Zellinsky - 56.

Voting nay: Representatives Addison, Appelwick, Armstrong, Barnes, Baugher, Belcher, Brekke, Bristow, Brough, Cole, Dellwo, Fisch, Grimm, Hargrove, Hine, Holland, Isaacson, Jacobsen, King P, Leonard, Lewis, Locke, Long, Lux, Miller, Nelson D, O'Brien, Patrick, Rayburn, Rust, Sanders, Sayan, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Walk, Wilson K - 40.

Absent: Representative King R - 1.

Excused: Mr. Speaker - 1.

The Clerk read the following amendment by Representative West:  
On page 5, after line 2 strike all material through page 8, line 2.

With the consent of the House, Mr. West withdrew the amendment.

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

HOUSE BILL NO. 132, by Representatives Tanner, L. Smith, Sutherland, Nutley, Peery, J. King and Hastings

Repealing the laws authorizing a county tax on nonresidents of the state employed in the county.

The bill was read the second time.

The Clerk read the following amendment by Representatives Hankins, Isaacson and Tanner:

On page 1, beginning on line 5 strike all of section 1 and insert:

"Sec. 1. Section 2, chapter 248, Laws of 1984 and RCW 82.14C.020 are each amended to read as follows:

The legislative authority of a county which borders on the Columbia River and has a population greater than one hundred thousand persons but less than one hundred fifty thousand persons may impose an excise tax on persons residing outside the state who are employed inside the county for the privilege of using local governmental services in the county. The amount of the tax shall be based upon the actual benefits received by persons residing outside

the state who are employed inside the county, including but not limited to police and fire protection and the construction and maintenance of streets. The county shall allocate to each city or town the amount of such taxes as are paid by nonresidents employed respectively in each such city or town."

Remember the sections consecutively and correct any internal references accordingly.

With the consent of the House, Ms. Hankins withdrew the amendment.

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

SUBSTITUTE HOUSE BILL NO. 274, by Committee on Natural Resources (originally sponsored by Representatives Sanders, Leonard, J. Williams, Cole, Fuhrman, Dobbs, Lundquist, Sutherland and Isaacson)

Revising the requirements of a conservation license.

The bill was read the second time.

Mr. Hargrove moved adoption of the following amendments by Representatives Hargrove and Belcher:

On page 1, line 4 before "Sec." insert "NEW SECTION."

On page 1, line 5 after "each" strike the remainder of the bill and insert "repealed"

Representatives Hargrove, Belcher and Lundquist spoke in favor of the amendment, and Representatives Sanders, Isaacson and Sutherland spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives Hargrove and Belcher to Substitute House Bill No. 274, and the amendments were not adopted by the following vote: Yeas, 30; nays, 66; absent, 1; excused, 1.

Voting yea: Representatives Allen, Belcher, Braddock, Bristow, Chandler, Cole, Day, Dellwo, Dobbs, Fisch, Fuhrman, Hargrove, King P, Kremen, Locke, Lundquist, McMullen, Scott, Smith C, Smith L, Smitherman, Tanner, Thomas, Unsoeld, Van Luven, Vander Stoep, Vekich, Walker, West, Williams B - 30.

Voting nay: Representatives Addison, Appelwick, Armstrong, Baillard, Barnes, Barrett, Basich, Baugher, Betzoff, Bond, Brekke, Brooks, Brough, Crane, Doty, Ebersole, Fisher, Gallagher, Grimm, Hankins, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King R, Leonard, Lewis, Long, Lux, May, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Sommers, Sutherland, Taylor, Tilly, Todd, Valle, van Dyke, Walk, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky - 66.

Absent: Representative Madsen - 1.

Excused: Mr. Speaker - 1.

Substitute House Bill No. 274 was passed to Committee on Rules for third reading.

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

#### RESOLUTION

HOUSE FLOOR RESOLUTION NO. 85-15, by Representatives Van Luven, Locke, West and Hine

WHEREAS, Sunday, February 3, 1985, marked the beginning of Boy Scout Anniversary week; and

WHEREAS, The theme of Boy Scout week is "Scouting's Diamond Jubilee"; and

WHEREAS, Friday, February 8, is the seventy-fifth anniversary of the Boy Scouts of America; and

WHEREAS, Since 1910 over sixty-eight million people have participated in Boy Scouting programs; and

WHEREAS, Scouting promotes respect for God and country; and

WHEREAS, The Boy Scout law inspires people always to be trustworthy, loyal, helpful, friendly, courteous, kind, obedient, cheerful, thrifty, brave, clean and reverent; and

WHEREAS, Boy Scout programs have played a significant role in the lives of many of our national and state political leaders; and

WHEREAS, Former President Gerald R. Ford and United States Senator Daniel J. Evans both attained the rank of Eagle Scout; and

WHEREAS, Six members of this body, Representatives Dick Bond, Jim Hargrove, Gary Locke, Gary Nelson, Joe Tanner and Steve Van Luven are Eagle Scouts; and

WHEREAS, Ninety percent of the state's Congressional delegation have been or are connected with Boy Scout programs; and

WHEREAS, Sixty-three of the members of this body have participated in Boy Scouting;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives officially recognize the valuable service the Boy Scouts of America perform for the youth of our state and our country; and

BE IT FURTHER RESOLVED, That the House of Representatives applaud all of our state Boy Scout Councils for a job well done; and

BE IT FURTHER RESOLVED, That the members of this body do all they can in their home districts to promote the programs and ideals of the Boy Scouts of America; and

BE IT FURTHER RESOLVED, That a copy of this Resolution be transmitted by the Chief Clerk of the House of Representatives to the National Office of The Boy Scouts of America in Irving, Texas; the Western Regional Office of the Boy Scouts in Sunnyvale, California; and the twelve Boy Scout Councils serving Washington State.

On motion of Mr. Van Luven, the resolution was adopted.

#### MOTIONS

On motion of Mr. J. King, HOUSE BILL NO. 403 was rereferred from Committee on Environmental Affairs to Committee on Local Government.

On motion of Mr. J. King, HOUSE BILL NO. 812, HOUSE BILL NO. 963 and HOUSE BILL NO. 1035 were rereferred from Select Committee on the Clean-up and Management of Puget Sound to Committee on Environmental Affairs.

#### MOTION

On motion of Mr. J. King, the House adjourned until 10:00 a.m., Friday, February 22, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk



## FORTIETH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Friday, February 22, 1985.

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

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Arika Atherton and Scott Langum. Prayer was offered by Reverend Krisian Frosig, First Lutheran Church of Bothell.

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

## MESSAGES FROM THE SENATE

February 20, 1985

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3198,  
 SUBSTITUTE SENATE BILL NO. 3240,  
 SUBSTITUTE SENATE BILL NO. 3243,  
 SUBSTITUTE SENATE BILL NO. 3254,  
 SENATE BILL NO. 3337,  
 SENATE BILL NO. 3363,  
 SENATE BILL NO. 3393,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

February 21, 1985

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 3143,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3228,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3376,  
 SENATE BILL NO. 3547,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTIONS AND FIRST READING

SB 3143 by Senators Talmadge, Newhouse and Conner; by Department of Licensing request

Extending the period for reregistration of trade names with the state.

Referred to Committee on Judiciary.

SSB 3198 by Committee on Judiciary (originally sponsored by Senators Talmadge, Granlund, Halsan, Rinehart and DeJarnatt)

Revising provisions of the victims of sexual assault act.

Referred to Committee on Judiciary.

ESSB 3228 by Committee on Human Services & Corrections (originally sponsored by Senators Kreidler and McDermott)

Changing language in the natural death act.

Referred to Committee on Social & Health Services.

SSB 3240 by Committee on Judiciary (originally sponsored by Senators Lee, Moore, Metcalf, Bottiger, Benitz, McManus, McCaslin, Gaspard,

Bailey, Stratton, Johnson, Garrett, Deccio, Peterson, Hayner, Barr, Craswell, Patterson and McDonald)

Authorizing court to restrain accused offender from entering family home in cases of child abuse.

Referred to Committee on Judiciary.

SSB 3243 by Committee on Judiciary (originally sponsored by Senators Lee, Moore, Zimmerman, McManus, Metcalfe, Stratton, Benitz, Peterson, McCaslin, Saling, Johnson, Barr, Deccio, Hayner, Patterson and McDonald)

Requiring persons sheltering a runaway to provide appropriate notice.

Referred to Committee on Judiciary.

SSB 3254 by Committee on Judiciary (originally sponsored by Senators Talmadge, Hayner, McCaslin, Granlund and Halsan)

Revising certain provisions of domestic violence prevention laws.

Referred to Committee on Judiciary.

SB 3337 by Senators Owen, Peterson and Lee

Giving certain specific duties of the public lands commissioner to the department of natural resources.

Referred to Committee on Natural Resources.

SB 3363 by Senators Cantu and Talmadge

Clarifying the incest statute.

Referred to Committee on Judiciary.

ESSB 3376 by Committee on Education (originally sponsored by Senators Rinehart, Gaspard, McDermott, Patterson, Peterson, Goltz, Fleming, Bottiger, Bauer, Stratton, Saling, Zimmerman and Guess)

Establishing a higher education coordinating board.

Referred to Committee on Higher Education.

SB 3393 by Senators Talmadge, Newhouse and Rasmussen

Revising statutes of limitations.

Referred to Committee on Judiciary.

SB 3547 by Senators Granlund, Kiskaddon, Kreidler, Johnson, Deccio, Peterson, Conner and Stratton

Revising provisions relating to school immunization programs.

Referred to Committee on Social & Health Services.

#### MOTION

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

#### REPORTS OF STANDING COMMITTEES

HB 23 Prime Sponsor, Representative Haugen: Providing regulations for compensation for members of special district governing bodies. Reported by Committee on Local Government

d.-1 February 19, 1985

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Allen, Bristow, Doty, Ebersole, Hine, Isaacson, May, Rayburn, Smitherman and Winsley.

Voting nay: Representatives Brough, Patrick and Zellinsky.

Absent: Representative Isaacson.

Passed to Committee on Rules for second reading.

February 20, 1985

HB 36 Prime Sponsor, Representative Patrick: Authorizing law enforcement officer to intercept telephone communications in a hostage or barricade situation. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, P. King, Lewis, Locke, G. Nelson, Niemi, Padden, Schoon, Tilly, Van Luven, West and Wang.

Absent: Representative Wang.

Passed to Committee on Rules for second reading.

February 21, 1985

HB 51 Prime Sponsor, Representative O'Brien: Requiring public restrooms in grocery stores. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Ebersole, Fisch, Fisher, R. King, O'Brien and Sayan.

MINORITY recommendation: Do not pass. Signed by Representatives Betzoff, Chandler, Patrick, C. Smith, Walker and J. Williams.

Passed to Committee on Rules for second reading.

February 19, 1985

HB 56 Prime Sponsor, Representative D. Nelson: Revising the powers of the nuclear waste board. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 12 after "analyzing" insert "Policy"

On page 2, line 12 after "authorizing" insert "major policy"

On page 2, line 13 after "department" strike "to participate in the" and insert "relative to"

On page 2, line 14 after "waste" strike "policy act of 1980"

Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong, Gallagher, Jacobsen, Madsen, Sutherland and Unsoeld.

MINORITY recommendation: Do not pass. Signed by Representatives Barnes, Bond, Isaacson, Miller, Nealey and Van Luven.

Voting nay: Representatives Barnes, Bond, Isaacson, Long, Miller, Nealey and Van Luven.

Passed to Committee on Rules for second reading.

February 20, 1985

HB 58 Prime Sponsor, Representative P. King: Modifying procedures for making arbitration awards. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, P. King, Lewis, Locke, G. Nelson, Niemi, Padden, Schmidt, Schoon, Tilly, Van Luven, West and Wang.

Absent: Representative Wang.

Passed to Committee on Rules for second reading.

February 18, 1985

HB 110 Prime Sponsor, Representative Brekke: Regulating removal and possession of commercial quantities of shellfish. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass with the following amendment:

On page 3 strike language on lines 31 through 33 and insert:

"Shellfish seized pursuant to this section shall be subject to prompt disposal by the representative or officer and may not be used for human consumption. The state board of health shall develop by rule the procedures for the disposal of the seized shellfish."

Signed by Representatives Brekke, Chair; Day, Vice Chair; Armstrong, Ballard, Brooks, Dellwo, Dobbs, Leonard, Lewis, Lux, Padden, Scott, West, S. Wilson and Winsley.

Absent: Representatives Armstrong, Braddock and Tanner.

Passed to Committee on Rules for second reading.

February 18, 1985

HB 131 Prime Sponsor, Representative Brekke: Revising the regulation of health-related professions. Reported by Committee on Social & Health Services

MAJORITY recommendation: The substitute bill be substitute therefor and the substitute bill do pass. Signed by Representatives Brekke, Chair; Day, Vice Chair; Armstrong, Ballard, Braddock, Brooks, Dellwo, Dobbs, Leonard, Lewis, Lux, Padden, Scott, Tanner, S. Wilson and Winsley.

Absent: Representatives Braddock, Lewis and West.

Passed to Committee on Rules for second reading.

February 21, 1985

HB 134 Prime Sponsor, Representative Jacobsen: Regulating the use of automatic dialing and announcing devices. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 22 after "services." strike all material through "party." on page 1, line 24.

Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong, Gallagher, Jacobsen, Long, Madsen, Miller, Nealey and Unsoeld.

MINORITY recommendation: Do not pass. Signed by Representatives Barnes, Bond and Isaacson.

Voting nay: Representatives Barnes, Bond, Isaacson, Sutherland and Van Luven.

Passed to Committee on Rules for second reading.

February 19, 1985

HB 136 Prime Sponsor, Representative Unsoeld: Controlling dangerous wastes that had household uses. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Unsoeld, Vice Chair; Allen, Barnes, Brekke, Brough, Isaacson, Jacobsen, R. King, Lewis, Lux, Nutley and Valle.

Voting nay: Representative May.

Absent: Representative Bond.

Passed to Committee on Rules for second reading.

February 21, 1985

HB 156 Prime Sponsor, Representative Winsley: Revising provisions relating to driver's financial responsibility. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Lux, Chair; Addison, Barrett, Crane, Dellwo, Holland, P. King, Locke, Nutley, West and Winsley.

Absent: Representatives Zellinsky, Vice Chair; and Grimm.

Passed to Committee on Rules for second reading.

February 19, 1985

HB 170 Prime Sponsor, Representative Vander Stoep: Establishing admission standards for the institutions of higher education. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sommers, Chair; Jacobsen, Vice Chair; Allen, Basich, Hastings, Unsoeld, Vander Stoep and Wineberry.

Voting nay: Representatives D. Nelson, Prince, Silver and K. Wilson.

Absent: Representatives Belcher, Miller and G. Nelson.

Passed to Committee on Rules for second reading.

February 18, 1985

HB 196 Prime Sponsor, Representative Brekke: Changing provisions relating to nursing home licensing. Reported by Committee on Social & Health Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Brekke, Chair; Day, Vice Chair; Ballard, Braddock, Brooks, Dellwo, Dobbs, Leonard, Lewis, Padden, Scott, West, S. Wilson and Winsley.

Absent: Representatives Armstrong and Tanner.

Passed to Committee on Rules for second reading.

February 19, 1985

HB 229 Prime Sponsor, Representative D. Nelson: Restricting gifts from lobbyists to candidates or public officers or employees. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fisher, Chair; Leonard, Vice Chair; Day, Fisch, Madsen and Sommers.

MINORITY recommendation: Do not pass. Signed by Representatives Barnes, Barrett, Miller, Nealey and Walker.

Passed to Committee on Rules for second reading.

February 20, 1985

HB 244 Prime Sponsor, Representative O'Brien: Creating a state medal of merit. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Belcher, Chair; Peery, Vice Chair; Baugher, Brooks, Fuhrman, Hankins, O'Brien, Sanders, Taylor, Todd, van Dyke, Vekich and Walk.

Passed to Committee on Rules for second reading.

February 19, 1985

HB 252 Prime Sponsor, Representative Fisch: Establishing procedures that will phase out tolls on the Hood Canal bridge. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walk, Chair; Wineberry, Vice Chair; Baugher, Betzoff, Bond, Brough, Fisch, Fisher, Gallagher, Hankins, Haugen, Kremen, Lundquist, McMullen, Prince, Sutherland, Tanner, Valle, K. Wilson and Zellinsky.

Voting nay: Representatives Schmidt, C. Smith and Thomas.

Absent: Representatives Patrick, Van Luven and J. Williams.

Passed to Committee on Rules for second reading.

February 19, 1985

HB 281 Prime Sponsor, Representative Jacobsen: Authorizing limited regulation by the state of radio communications service companies. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 21 after "service" insert ", radio paging."

On page 2, line 22 after "hire" strike the period and insert ", sale, or resale."

On page 4, line 20 after "any" insert "of their"

Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong, Barnes, Bond, Gallagher, Isaacson, Jacobsen, Long, Madsen, Miller, Nealey, Sutherland, Unsoeld and Van Luvan.

Passed to Committee on Rules for second reading.

February 20, 1985

HB 313 Prime Sponsor, Representative Fisher: Revising Public Disclosure Laws. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fisher, Chair; Leonard, Vice Chair; Barnes, Barrett, Day, Fisch, Madsen, Miller, Sommers and Walker.

Voting nay: Representative Nealey.

Passed to Committee on Rules for second reading.

February 19, 1985

HB 323 Prime Sponsor, Representative Belcher: Requiring a management program for the Nisqually river system. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Unsoeld, Vice Chair; Allen, Barnes, Brekke, Brough, Jacobsen, R. King, Lux and Valle.

Voting nay: Representatives Isaacson, Lewis, May and Nutley.

Absent: Representative Bond.

Passed to Committee on Rules for second reading.

February 19, 1985

HB 466 Prime Sponsor, Representative Sutherland: Revising provisions relating to wholesale fish dealers. Reported by Committee on Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Basich, Belcher, Cole, Fuhrman, Hankins, Hargrove, Haugen, Leonard, Lundquist, McMullen, D. Nelson, Sanders, van Dyke, J. Williams and S. Wilson.

Voting nay: Representative Thomas.

Absent: Representatives Dobbs, McMullen, Sayan and J. Williams.

Passed to Committee on Rules for second reading.

February 21, 1985

HB 471 Prime Sponsor, Representative Bristow: Establishing a matching grant program for conservation districts. Reported by Committee on Agriculture

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Baugher, Vice Chair; Ballard, Bristow, Brooks, Chandler, Kremen, Madsen, Nealey and Peery.

Absent: Representative Doty.

Passed to Committee on Rules for second reading.

February 18, 1985

HB 481 Prime Sponsor, Representative Brekke: Authorizing the director of licensing to appoint temporary members of licensing boards. Reported by Committee on Social & Health Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Brekke, Chair; Day, Vice Chair; Armstrong, Ballard, Braddock, Brooks, Dellwo, Dobbs, Leonard, Lux, Padden, Scott, Tanner and Winsley.

Absent: Representatives West and S. Wilson.

Passed to Committee on Rules for second reading.

February 20, 1985

HB 492 Prime Sponsor, Representative Lewis: Establishing certain rights in child abuse and neglect proceedings. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass with the following amendment:  
On page 2, line 28 after "gained," insert "The party requesting taping of interviews or assessments shall bear the cost for such taping."

Signed by Representatives Brekke, Chair; Armstrong, Ballard, Braddock, Brooks, Dellwo, Dobbs, Leonard, Lewis, Lux, Padden, Scott, West, S. Wilson and Winsley.

Absent: Representative Tanner.

Passed to Committee on Rules for second reading.

February 19, 1985

HB 720 Prime Sponsor, Representative Walk: Establishing the highway construction stabilization account. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Wineberry, Vice Chair; Baugher, Betzoff, Bond, Brough, Fisch, Fisher, Gallagher, Hankins, Haugen, Kremen, Lundquist, McMullen, Prince, Schmidt, Sutherland, Tanner, Thomas, Valle, K. Wilson and Zellinsky.

Absent: Representatives Patrick, C. Smith, Van Luven and J. Williams.

Passed to Committee on Rules for second reading.

February 19, 1985

HB 850 Prime Sponsor, Representative Cole: Continuing and modifying regulation of landscape architects. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Betzoff, Chandler, Fisch, Fisher, R. King, Patrick, C. Smith, Walker and J. Williams.

Absent: Representative Sayan.

Passed to Committee on Rules for second reading.

February 19, 1985

HB 864 Prime Sponsor, Representative Walk: Allocating a portion of motor vehicle excise taxes deposited in the general fund to the state patrol highway account. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Wineberry, Vice Chair; Baugher, Betzoff, Bond, Fisch, Fisher, Gallagher, Hankins, Haugen, Kremen, Lundquist, McMullen, Prince, Schmidt, Sutherland, Tanner, Thomas, Valle, K. Wilson and Zellinsky.

Voting nay: Representative Brough.

Absent: Representatives Patrick, C. Smith, Van Luven and J. Williams.

Passed to Committee on Rules for second reading.

February 21, 1985

HB 974 Prime Sponsor, Representative Rust: Modifying provisions on acid rain. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Rust, Chair; Unsoeld, Vice Chair; Allen, Barnes, Brekke, Brough, R. King, Lewis, Lux, May, Nutley and Valle.

Absent: Representatives Bond, Isaacson and Jacobsen.

Passed to Committee on Rules for second reading.

February 19, 1985

HB 1198 Prime Sponsor, Representative Schmidt: Requiring an appropriation for expenditures from state ferry revenues. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Wineberry, Vice Chair; Baugher, Betzoff, Bond, Brough, Fisch, Fisher, Gallagher, Hankins, Haugen, Kremen, Lundquist, McMullen, Prince, Schmidt, Sutherland, Tanner, Thomas, Valle, K. Wilson and Zellinsky.

Absent: Representatives Patrick, C. Smith, Van Luven and J. Williams.

Passed to Committee on Rules for second reading.

February 21, 1985

HJR 23 Prime Sponsor, Representative Tanner: Authorizing ad valorem taxing districts for public improvements. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives McMullen, Chair; Kremen, Vice Chair; Braddock, Day, Doty, Hargrove, J. King, Lundquist, May, Niemi, Rayburn, Schoon, Scott, Silver, L. Smith, Smitherman, Thomas, van Dyke, B. Williams and Wineberry.

Absent: Representatives Dobbs, Schmidt, Tanner and Vekich.

Passed to Committee on Rules for second reading.

February 20, 1985

SB 3074 Prime Sponsor, Senator Halsan: Reenacting and changing partnership provisions from the Washington trust act of 1984. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, P. King, Lewis, Locke, G. Nelson, Niemi, Padden, Schmidt, Schoon, Tilly, Van Luven, West and Wang.

Passed to Committee on Rules for second reading.

February 20, 1985

SB 3075 Prime Sponsor, Senator Halsan: Reenacting declaratory judgment provisions from the Washington trust act of 1984. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, P. King, Lewis, Locke, G. Nelson, Niemi, Padden, Schmidt, Schoon, Tilly, Van Luven, West and Wang.

Passed to Committee on Rules for second reading.

February 20, 1985

SB 3076 Prime Sponsor, Senator Talmadge: Establishing a two-dollar filing fee for the nonjudicial resolution of certain trust provisions. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendment: Strike everything after the enacting clause and insert the following:



\*Sec. 1. Section 1, chapter 38, Laws of 1973 as last amended by section 29, chapter 263, Laws of 1984 and RCW 36.18.020 are each amended to read as follows:

Clerks of superior courts shall collect the following fees for their official services:

(1) The party filing the first or initial paper in any civil action, including an action for restitution, or change of name, shall pay, at the time said paper is filed, a fee of seventy dollars except in proceedings filed under RCW 26.50.030 where the petitioner shall pay a filing fee of twenty dollars.

(2) Any party filing the first or initial paper on an appeal from justice court or on any civil appeal, shall pay, when said paper is filed, a fee of seventy dollars.

(3) The party filing a transcript or abstract of judgment or verdict from a United States court held in this state, or from the superior court of another county or from a justice court in the county of issuance, shall pay at the time of filing, a fee of fifteen dollars.

(4) For the filing of a tax warrant by the department of revenue of the state of Washington, a fee of five dollars shall be paid.

(5) The party filing a demand for jury of six in a civil action, shall pay, at the time of filing, a fee of twenty-five dollars; if the demand is for a jury of twelve the fee shall be fifty dollars. If, after the party files a demand for a jury of six and pays the required fee, any other party to the action requests a jury of twelve, an additional twenty-five dollar fee will be required of the party demanding the increased number of jurors.

(6) For filing any paper, not related to or a part of any proceeding, civil or criminal, or any probate matter, required or permitted to be filed in his office for which no other charge is provided by law, or for filing a petition, written agreement, or memorandum as provided in RCW 11.96.170, the clerk shall collect two dollars.

(7) For preparing, transcribing or certifying any instrument on file or of record in his office, with or without seal, for the first page or portion thereof, a fee of two dollars, and for each additional page or portion thereof, a fee of one dollar. For authenticating or exemplifying any instrument, a fee of one dollar for each additional seal affixed.

(8) For executing a certificate, with or without a seal, a fee of two dollars shall be charged.

(9) For each garnishee defendant named in an affidavit for garnishment and for each writ of attachment, a fee of five dollars shall be charged.

(10) For approving a bond, including justification thereon, in other than civil actions and probate proceedings, a fee of two dollars shall be charged.

(11) In probate proceedings, the party instituting such proceedings, shall pay at the time of filing the first paper therein, a fee of seventy dollars: PROVIDED, HOWEVER, A fee of two dollars shall be charged for filing a will only, when no probate of the will is contemplated. Except as provided for in subsection (12) of this section a fee of two dollars shall be charged for filing a petition, written agreement, or memorandum as provided in RCW 11.96.170.

(12) For filing any petition to contest a will admitted to probate or a petition to admit a will which has been rejected, or a petition objecting to a written agreement or memorandum as provided in RCW 11.96.170, there shall be paid a fee of seventy dollars.

(13) For the issuance of each certificate of qualification and each certified copy of letters of administration, letters testamentary or letters of guardianship there shall be a fee of two dollars.

(14) For the preparation of a passport application there shall be a fee of four dollars.

(15) For searching records for which a written report is issued there shall be a fee of eight dollars per hour.

(16) Upon conviction or plea of guilty or upon failure to prosecute his appeal from a lower court as provided by law, a defendant in a criminal case shall be liable for a fee of seventy dollars.

(17) With the exception of demands for jury hereafter made and garnishments hereafter issued, civil actions and probate proceedings filed prior to midnight, July 1, 1972, shall be completed and governed by the fee schedule in effect as of January 1, 1972: PROVIDED, That no fee shall be assessed if an order of dismissal on the clerk's record be filed as provided by rule of the supreme court.

(18) No fee shall be collected when a petition for relinquishment of parental rights is filed pursuant to RCW ((26.36.010) 26.33.080) or for forms and instructional brochures provided under RCW 26.50.030.

**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.\*

Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, P. King, Lewis, Locke, G. Nelson, Niemi, Padden, Schmidt, Schoon, Tilly, Van Luven, West and Wang.

Passed to Committee on Rules for second reading.

February 20, 1985

SB 3078 Prime Sponsor, Senator Talmadge: Reenacting statute of limitations provisions from the Washington trust act of 1984. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, P. King, Lewis, Locke, G. Nelson, Niemi, Padden, Schmidt, Schoon, Tilly, Van Luven, West and Wang.

Absent: Representative Schmidt.

Passed to Committee on Rules for second reading.

#### SECOND READING

HOUSE BILL NO. 31, by Representatives Haugen, Lundquist, B. Williams, McMullen and K. Wilson

Removing restrictions on the taking of salmon by use of monofilament gill net webbing.

The bill was read the second time.

On motion of Mr. Basich, the following amendment by Representatives Basich, Haugen and S. Wilson was adopted:

On page 1, after line 14 insert a new subsection as follows:

"(3) The department of fisheries, in coordination with the Oregon department of fish and wildlife, shall adopt rules to regulate the use of monofilament in gillnet webbing on the Columbia river."

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

HOUSE BILL NO. 48, by Representatives R. King, Patrick, Fisch, Hargrove, Lux, Leonard, Todd, Vekich, Day, Sayan, Winsley, Ebersole, Wang, Fisher and Basich

Adding life support technicians to employees covered by uniformed personnel collective bargaining procedures.

The bill was read the second time. On motion of Mr. Wang, Substitute House Bill No. 48 was substituted for House Bill No. 48, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 48 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 69, by Representatives Rust, Allen, Valle, Brekke, R. King, Lux, Unsoeld, D. Nelson and Isaacson

Requiring solid waste facilities to establish trust funds.

The bill was read the second time. On motion of Ms. Rust, Substitute House Bill No. 69 was substituted for House Bill No. 69, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 69 was read the second time and passed to Committee on Rules for third reading.

SUBSTITUTE HOUSE BILL NO. 32, by Committee on Commerce & Labor (originally sponsored by Representatives R. King, Fisch, Miller, Wang, Winsley, Allen, Fisher, O'Brien, P. King, Sayan, Basich, McMullen, Lux, Brekke and Rayburn)

Providing collective bargaining for institutions of higher education.

The bill was read the second time.

The Clerk read the following amendment by Representative Betzoff:

On page 1, line 18 after "chapter," insert "However, nothing in this chapter shall require the boards to collectively bargain with the representatives of tenured faculty."

## MOTION

Mr. Vander Stoep moved that Substitute House Bill No. 32 be rereferred to Committee on Ways & Means.

Mr. Vander Stoep spoke in favor of the motion, and Mr. J. King spoke against it.

A division was called.

## ROLL CALL

The Clerk called the roll on the motion to rerefer Substitute House Bill No. 32 to Committee on Ways & Means, and the motion was lost by the following vote: Yeas, 43; nays, 50; excused, 5.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Betzoff, Bond, Brooks, Brough, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G. Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 43.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky - 50.

Excused: Representatives Barrett, Chandler, Dellwo, Isaacson, and Mr. Speaker - 5.

## STATEMENT FOR THE JOURNAL

I inadvertently voted the wrong way on the procedural motion to rerefer Substitute House Bill No. 32 to Ways & Means Committee. I would like this entered in the Journal. I had intended to vote 'No.'

PAT SCOTT, 38th District.

The Speaker stated the question before the House to be the amendment by Representative Betzoff.

Mr. Betzoff moved adoption of the amendment and spoke in favor of it.

Mr. Wang spoke against adoption of the amendment, and Mr. Prince spoke in favor of it.

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

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Betzoff to page 1, line 18 of Substitute House Bill No. 32, and the amendment was not adopted by the following vote: Yeas, 40; nays, 53; excused, 5.

Voting yea: Representatives Addison, Ballard, Barnes, Betzoff, Bond, Brooks, Brough, Dobbs, Doty, Fuhrman, Hankins, Hastings, Haugen, Holland, Lewis, Long, Lundquist, May, Nealey, Nelson G. Padden, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Zellinsky - 40.

Voting nay: Representatives Allen, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Miller, Nelson D, Niemi, Nutley, O'Brien, Patrick, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley - 53.

Excused: Representatives Barrett, Chandler, Dellwo, Isaacson, and Mr. Speaker - 5.

Mr. Vander Stoep moved adoption of the following amendment:

On page 1, line 18 after "chapter." insert "Provided that only those aspects of employment funded by state appropriations shall be subject to collective bargaining."

Representatives Vander Stoep and Taylor spoke in favor of the amendment, and Mr. Sayan spoke against it.

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

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Vander Stoep to Substitute House Bill No. 32, and the amendment was not adopted by the following vote: Yeas, 43; nays, 50; excused, 5.

Voting yea: Representatives Addison, Ballard, Barnes, Betzoff, Bond, Bristow, Brooks, Brough, Dobbs, Doty, Fuhrman, Hankins, Hastings, Haugen, Holland, Lewis, Long, Lundquist, May, Nealey, Nelson G. Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C. Smith L, Sommers, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Zellinsky - 43.

Voting nay: Representatives Allen, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Cole, Crane, Day, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Miller, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley - 50.

Excused: Representatives Barrett, Chandler, Dellwo, Isaacson, and Mr. Speaker - 5.

Mr. Taylor moved adoption of the following amendment by Representatives Taylor and Hastings:

On page 1, line 18 after "chapter" insert ": PROVIDED, That nothing in this chapter shall be construed to grant employers or employees the right to reach agreements regarding salary or compensation increases from any fund source whatsoever in excess of the amount and/or percentage as may be provided for employees as set forth in the state operating appropriations act in effect at the time the compensation is payable"

Mr. Taylor spoke in favor of the amendment, and Mr. Sayan spoke against it.

Mr Taylor spoke again in favor of the amendment.

Ms. Silver demanded an electric roll call vote and the demand was sustained.

Mr. G. Nelson spoke in favor of the amendment.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Taylor and Hastings to Substitute House Bill No. 32, and the amendment was not adopted by the following vote: Yeas, 41; nays, 52; excused, 5.

Voting yea: Representatives Addison, Ballard, Barnes, Betzoff, Bond, Bristow, Brooks, Brough, Dobbs, Doty, Fuhrman, Hankins, Hastings, Haugen, Holland, Lewis, Long, Lundquist, May, Nealey, Nelson G. Padden, Prince, Sanders, Schmidt, Schoon, Silver, Smith C. Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Zellinsky - 41.

Voting nay: Representatives Allen, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Cole, Crane, Day, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Miller, Nelson D, Niemi, Nutley, O'Brien, Patrick, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley - 52.

Excused: Representatives Barrett, Chandler, Dellwo, Isaacson, and Mr. Speaker - 5.

Mr. Vander Stoep moved adoption of the following amendment:

On page 1, line 18 after "chapter" insert ": PROVIDED, That nothing in this chapter authorizes collective bargaining over hiring and firing procedures, merit pay and/or market pay"

Mr. Vander Stoep spoke in favor of the amendment and Mr. R. King spoke against it.

Mr. Vander Stoep spoke again in favor of the amendment and Mr. Sayan spoke against it.

Mr. Prince spoke in favor of the amendment.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Vander Stoep to Substitute House Bill No. 32, and the amendment was not adopted by the following vote: Yeas, 42; nays, 51; excused, 5.

Voting yea: Representatives Addison, Ballard, Barnes, Betzoff, Bond, Bristow, Brooks, Brough, Dobbs, Doty, Fuhrman, Hankins, Hastings, Haugen, Holland, Lewis, Long, Lundquist, May, Nealey, Nelson G. Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C. Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Zellinsky - 42.

Voting nay: Representatives Allen, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Cole, Crane, Day, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Miller, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley - 51.

Excused: Representatives Barrett, Chandler, Dellwo, Isaacson, and Mr. Speaker - 5.

Mr. Vander Stoep moved adoption of the following amendment:

On page 1, line 18 after "chapter" insert ": PROVIDED, That nothing in this chapter authorizes collective bargaining over class size, contact hours or tenure"

Representatives Vander Stoep, Taylor and G. Nelson spoke in favor of the amendment, and Mr. Wang spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Vander Stoep to Substitute House Bill No. 32, and the amendment was not adopted by the following vote: Yeas, 41; nays, 52; excused, 5.

Voting yea: Representatives Addison, Ballard, Barnes, Betrozoff, Bond, Brooks, Brough, Dobbs, Doty, Fuhrman, Hankins, Hastings, Haugen, Holland, Lewis, Long, Lundquist, May, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Zellinsky - 41.

Voting nay: Representatives Allen, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Miller, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley - 52.

Excused: Representatives Barrett, Chandler, Dellwo, Isaacson, and Mr. Speaker - 5.

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

On page 1, line 18 after "chapter," insert "Provided that nothing in this chapter authorizes collective bargaining over class size."

Mr. Wang moved adoption of the following amendment by Representatives Wang, Vander Stoep and Patrick:

On page 1, after line 25 insert the following:

"(2) 'Casual employee' includes, but is not limited to, student assistants, research assistants, teaching assistants, temporary employees, and professional consultants employed by institutions of higher education."

Renumber the remaining subsections consecutively.

Representatives Wang and Patrick spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Wang yielded to question by Mr. G. Nelson.

Mr. G. Nelson: "Representative Wang, on my copy of the amendment where you are defining 'casual employee,' it includes 'but not limited to....' Is it your intention that it does nor does not include research assistants, teaching assistants and the rest?"

Mr. Wang: "The intention is to include student assistants, etc., in the definition of 'casual employee.' Casual employees are excluded under the rest of the bill."

The amendment was adopted.

Ms. Silver moved adoption of the following amendment:

On page 4, line 9 after "PROVIDED" strike all material through "strike or" on line 10 and insert "no public employee covered by this chapter shall have the right to strike or to"

Representatives Silver, Patrick, Taylor and G. Nelson spoke in favor of the amendment, and Representatives R. King, Sayan and Lux spoke against it.

Ms. Silver spoke again in favor of the amendment.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Silver to Substitute House Bill No. 32, and the amendment was not adopted by the following vote: Yeas, 40; nays, 53; excused, 5.

Voting yea: Representatives Addison, Ballard, Barnes, Betzoff, Bond, Bristow, Brooks, Dobbs, Doty, Fuhrman, Hankins, Hastings, Haugen, Holland, Long, Lundquist, May, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Zellinsky - 40.

Voting nay: Representatives Allen, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Brough, Cole, Crane, Day, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, Madsen, McMullen, Miller, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley - 53.

Excused: Representatives Barrett, Chandler, Dellwo, Isaacson, and Mr. Speaker - 5.

Ms. Silver moved adoption of the following amendment:

On page 4, line 11 after "duties" insert ": PROVIDED FURTHER, That any employee who strikes or refuses to perform his or her official duties shall be subject to a fine not exceeding \$100 per day"

Representative Silver spoke in favor of the amendment, and Representatives D. Nelson and Sayan spoke against it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Silver to Substitute House Bill No. 32, and the amendment was not adopted by the following vote: Yeas, 40; nays, 53; excused, 5.

Voting yea: Representatives Addison, Ballard, Barnes, Betzoff, Bond, Bristow, Brooks, Dobbs, Doty, Fuhrman, Hankins, Hastings, Haugen, Holland, Long, Lundquist, May, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Zellinsky - 40.

Voting nay: Representatives Allen, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Brough, Cole, Crane, Day, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, Madsen, McMullen, Miller, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley - 53.

Excused: Representatives Barrett, Chandler, Dellwo, Isaacson, and Mr. Speaker - 5.

Mr. Wang moved adoption of the following amendment by Representatives Wang and Patrick:

On page 5, line 18 after "avoided," insert "All employees who are tenured or eligible to seek or be awarded tenure shall be included in the same bargaining unit at each institution of higher education."

Mr. Wang spoke in favor of the amendment.

## POINT OF INQUIRY

Mr. Wang yielded to question by Mr. Vander Stoep.

Mr. Vander Stoep: "Representative Wang, the way the bill came out of committee it would have allowed for one bargaining unit to vote and decide on whether or not they wanted to have collective bargaining, and if that bargaining unit were defined as one department, that could be three, four or five percent of the employees within the university deciding whether or not they wanted to go to collective bargaining. With this amendment would all tenured employees within the university be required to vote on whether or not they went to collective bargaining?"

Mr. Wang: "Yes. All employees who are on the tenure track from the same institution would have to be in the same bargaining unit."

The amendment was adopted.

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

On page 9, line 26 strike "(1)"

On page 9, after line 30 strike all the material down to and including "faith." on line 35.

On page 10, after line 11 insert the following:

"(2) Any collective bargaining agreement may provide for all benefits, including wage and salary increases, to accrue beginning with the effective dates of any individual employee contracts covering employees in the bargaining unit for the same or related period."

Renumber the remaining subsection consecutively.

Mr. Hastings moved adoption of the following amendment:

On page 10, line 10 strike "increases" and insert "adjustments"

Mr. Hastings spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Hastings to Substitute House Bill No. 32, and the amendment was not adopted by the following vote: Yeas, 44; nays, 49; excused, 5.

Voting yea: Representatives Addison, Ballard, Barnes, Betzoff, Bond, Braddock, Bristow, Brooks, Brough, Dobbs, Doty, Fuhrman, Hankins, Hastings, Haugen, Holland, Lewis, Long, Lundquist, May, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Zellinsky - 44.

Voting nay: Representatives Allen, Appelwick, Armstrong, Basich, Baugher, Belcher, Brekke, Cole, Crane, Day, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Miller, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley - 49.

Excused: Representatives Barrett, Chandler, Dellwo, Isaacson, and Mr. Speaker - 5.

Mr. G. Nelson moved adoption of the following amendments:

On page 10, line 29 after "by" strike all language through "to"

On page 12, line 6 strike "commission" and insert "parties"

Representatives G. Nelson and Vander Stoep spoke in favor of the amendment, and Representative Sayan opposed it.

Mr. G. Nelson spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative G. Nelson to Substitute House Bill No. 32, and the amendment was not adopted by the following vote: Yeas, 42; nays, 51; excused, 5.

Voting yea: Representatives Addison, Ballard, Barnes, Betzoff, Bond, Bristow, Brooks, Brough, Dobbs, Doty, Fuhrman, Hankins, Hastings, Haugen, Holland, Lewis, Long, Lundquist, May, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Zellinsky - 42.

Voting nay: Representatives Allen, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Cole, Crane, Day, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Miller, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley - 51.

Excused: Representatives Barrett, Chandler, Dellwo, Isaacson, and Mr. Speaker - 5.

Mr. Taylor moved adoption of the following amendment by Representatives Taylor, Vander Stoep, Hastings, C. Smith, Prince and G. Nelson:

On page 14, after line 28 insert:

"(12) Section 51, chapter 283, Laws of 1969 1st ex. sess. and RCW 28B.50.145."

On page 1, line 3 after "repealing RCW" insert "28B.50.145."

#### POINT OF ORDER

Mr. Wang: "Mr. Speaker, I would ask that you rule on the scope and object of this amendment."

#### SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Substitute House Bill No. 32 is a bill relating to labor relations. The amendment repeals the law creating faculty senates at the community colleges. This is beyond the scope of the bill. Your point is well taken, Representative Wang."

Mr. Prince moved adoption of the following amendment:

On page 1 strike everything after the enacting clause and insert:

**\*NEW SECTION.** Sec. 1. There shall be a committee established to study collaborative bargaining in higher education. It shall be comprised of one member from each of the four-year institutions and six members from the state board for community college education. The committee shall issue a report of its findings to the legislature by January 1, 1987.\*

Mr. Prince spoke in favor of the amendment, and Mr. Wang spoke against it.

Mr. Prince spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Prince to Substitute House Bill No. 32, and the amendment was not adopted by the following vote: Yeas, 41; nays, 52; excused, 5.

Voting yea: Representatives Addison, Ballard, Barnes, Betrozoff, Bond, Brooks, Brough, Dobbs, Doty, Fuhrman, Hankins, Hastings, Haugen, Holland, Lewis, Long, Lundquist, May, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Zellinsky - 41.

Voting nay: Representatives Allen, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Miller, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley - 52.

Excused: Representatives Barrett, Chandler, Dellwo, Isaacson, and Mr. Speaker - 5.

#### MOTION

Ms. Silver moved that Substitute House Bill No. 32 be rereferred to Committee on Higher Education.

Representatives Silver and Lundquist spoke in favor of the motion, and Mr. J. King spoke against it.

#### ROLL CALL

The Clerk called the roll on the motion to rerefer Substitute House Bill No. 32 to Committee on Higher Education, and the motion was lost by the following vote: Yeas, 43; nays, 50; excused, 5.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Betrozoff, Bond, Brooks, Brough, Dobbs, Doty, Fuhrman, Hankins, Hastings, Haugen, Holland, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 43.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Wang, Wilson K, Wineberry, Zellinsky - 50.

Excused: Representatives Barrett, Chandler, Dellwo, Isaacson, and Mr. Speaker - 5.

On motion of Mr. Hastings, the following remarks by Representative J. King were ordered inserted in the Journal:

Mr. J. King: "Rising to oppose the amendment, I wonder if we want this in Trade and Economic Development, State Government, Local Government? Actually, the bill affects a lot of people. We do have a tradition in this place though, in saying that when we discuss labor management relations that it should go through the Labor Committee. Why should we discuss labor management relations differently, whether it's in higher education or K-12? I urge you to vote 'no' on this."

Substitute House Bill No. 32 was ordered engrossed and passed to Committee on Rules for third reading.

#### THIRD READING

Mr. J. King moved that ENGROSSED HOUSE BILL NO. 75 be rereferred from the third reading calendar to Committee on Rules.

Mr. Padden spoke in favor of the motion and it was carried.



MOTIONS

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

On motion of Mr. J. King, HOUSE BILL NO. 1145 was rereferred from Committee on State Government to Committee on Financial Institutions & Insurance.

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 85-24, by Representative Fuhrman

WHEREAS, George Washington accomplished more with fewer resources than any other military leader in the history of the world by leading the United States through the most successful revolution for freedom in world history; and

WHEREAS, George Washington's life was marked by military brilliance and a deep, lasting concern for his soldiers and the people; and

WHEREAS, George Washington was a man of impeccable moral and spiritual character who openly acknowledged and followed God's Word in founding America; and

WHEREAS, George Washington was the highest example of leadership possible as chairman of the most important convocation of political leaders in the history of the world in the formation of the United States Constitution; and

WHEREAS, George Washington's commitment to the leadership of the newly formed country did not end after the Revolutionary War, but, through a deep sense of commitment to freedom, he served eight years as the first President of the United States of America; and

WHEREAS, George Washington instilled this example in the hearts of all Americans, thus causing all of American history and the people involved in it to be permeated with his ideals and example; and

WHEREAS, These ideals have caused America to be the greatest nation in the history of the world;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington honors the birthday of George Washington; and that we attribute to him the honor and respect due him in light of his great accomplishments and achievements in forming the freedom we so often take for granted today.

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

MOTION

On motion of Mr. J. King, the House recessed until 1:30 p.m.

MEMORIAL PROGRAM

Presiding: President of the Senate John A. Cherberg  
 Chairperson: Speaker Pro Tempore John L. O'Brien

INVOCATION

by

The Reverend John L. Briehl  
 Spanaway Lutheran Church

BELLARMINE CHORAL GROUP  
 Andrea Klouse -- Director

O Vos Omnes (O my People) ..... P Casals  
 He, Watching Over Israel ..... Mendelsohn  
 The 23rd Psalm by Mallotte ..... Senator Wm. Kiskaddon  
 Accompanist, Mr. Barney McClure

Memorial Tribute ..... Speaker Pro Tempore John L. O'Brien  
 Representative Earl Tilly

## CANDLE SERVICE

## IN MEMORIAM

In tribute to the memories of our distinguished former members of the Senate and House of Representatives who have passed from among us during the preceding biennium, the Forth-Ninth Legislative Session of the State of Washington conveys its respects on behalf of the people of our State. May the memory of their dedicated service remain in our hearts.

## In Memory of:

John Bigley  
 W. J. "Joe" Beierlein  
 Ivan J. Compton  
 Dan Dawson  
 William S. Day  
 Caswell J. Farr  
 Charles C. Finucane  
 Morrill F. Folsom  
 James E. Gilleland  
 Chet Hatfield  
 Elmer Huhta  
 Jerry C. Kopet  
 John G. McCutcheon  
 David E. McMillan  
 John Merrill  
 Frances Pearson  
 Fred Redmon  
 Hugh J. Rosellini  
 Jack Sarvella  
 Lincoln E. Shropshire  
 Morris E. Starrett  
 Pearl A. Wanamaker

## Tribute by:

Representative Mike Todd  
 Representative Ernest Crane  
 Representative Clyde Ballard  
 Representative Shirley Winsley  
 Representative Bill Day  
 Representative Dennis Braddock  
 Senator Lois Stratton  
 Representative J. Vander Stoep  
 Representative Paul Sanders  
 Representative Jim Lewis  
 Representative Bob Basich  
 Representative R.M. Dick Bond  
 Senator Stan Johnson  
 Senator Scott Barr  
 Senator Avery Garrett  
 Senator Paul Conner  
 Representative Shirley Doty  
 Representative P.J. Gallagher  
 Representative Glenn Dobbs  
 Senator Irv Newhouse  
 Representative Richard E. Fisch  
 Representative Jennifer Belcher

## Flower Tribute by members of the Senate and House of Representatives

How Great Thou Art by Stewart K. Hine ..... Nancy Olson  
 The Battle Hymn of the Republic by Julia Ward Howe  
     Accompanist, Jennie Logsdon  
 Amazing Grace by John Newton ..... Ralph Munro, Secretary of State  
 The Lord's Prayer by Malotte ..... Father Joe Maguire, S.J.  
 Benediction ..... Father Joe Maguire, S.J.  
     Rector, Ballarmine Jesuit House  
 Taps ..... Bugler Spec. 4 Dale Rideout  
     Piccolo S/Sgt. Paul Dorwin  
     Drummer S/Sgt. Willie C. Lawrence III  
     Members of the 9th Infantry Band  
 Color Guard ..... S/Sgt. JoAnn Lougee  
     Spec. 4 Phillip McIntire  
     Spec. 4 Chul H. Yang  
     Spec. 4 Norman Bryant  
     Pfc Jerry L. Courtad  
     Members of the 47th Combat Support Hospital  
     Fort Lewis, Wa.

The President of the Senate announced the conclusion of the Memorial Service.

## MOTIONS

On motion of Ms. Hine, the Joint Session was dissolved.

On motion of Ms. Hine, the House was adjourned until 10:00 a.m., Monday, February 25, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk

## FORTY-THIRD DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Monday, February 25, 1985.

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

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Amy Starkey and Julie Fey. Prayer was offered by Reverend Arla Elston, Minister of the First Christian Church of Olympia.

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

## MESSAGE FROM THE SENATE

February 22, 1985

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 3089,

SENATE BILL NO. 3129,

ENGROSSED SENATE BILL NO. 3230,

SENATE BILL NO. 3267,

SUBSTITUTE SENATE BILL NO. 3342,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE CONCURRENT RESOLUTION NO. 109.

## INTRODUCTIONS AND FIRST READING

ESSB 3089 by Committee on Judiciary (originally sponsored by Senators Talmadge, Newhouse, Halsan and Hayner)

Removing department of licensing authority for administrative revocation of driver's licenses of alcohol offenders.

Referred to Committee on Judiciary.

SB 3129 by Senators Rasmussen, Conner, DeJarnatt, Metcalf and Granlund

Adding a member to the veterans affairs advisory committee.

Referred to Committee on State Government.

ESB 3230 by Senators Talmadge, Metcalf, Moore, Rasmussen and Peterson

Strengthening and clarifying laws against driving while intoxicated.

Referred to Committee on Judiciary.

SB 3267 by Senators Hansen, Guess and von Reichbauer; by Department of Licensing request

Relieving the department of the duty of returning a surrendered driver's license at the end of the suspension period.

Referred to Committee on Judiciary.

SSB 3342 by Committee on Ways & Means (originally sponsored by Senators McDermott, Deccio, Warnke, Sellar, Stratton, McCaslin and Wojahn)

Revising horse racing regulations.

Referred to Committee on Commerce & Labor.

#### REPORTS OF STANDING COMMITTEES

February 20, 1985

HB 93 Prime Sponsor, Representative Winsley: Requiring immunization prior to school attendance. Reported by Committee on Social & Health Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Brekke, Chair; Day, Vice Chair; Armstrong, Ballard, Braddock, Brooks, Dellwo, Dobbs, Leonard, Lewis, Lux, Padden, Scott, West, S. Wilson and Winsley.

Absent: Representative Tanner.

Passed to Committee on Rules for second reading.

February 22, 1985

HB 250 Prime Sponsor, Representative Nutley: Extending time requirements for revision of small works roster. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Allen, Bristow, Brough, Doty, Ebersole, Hine, May, Patrick, Rayburn, Smitherman, Winsley and Zellinsky.

Absent: Representatives Allen, Hine, Isaacson, Patrick and Smitherman.

Passed to Committee on Rules for second reading.

February 21, 1985

HB 335 Prime Sponsor, Representative Rust: Permitting penalties for improper fueling and tampering with vehicle pollution control equipment. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass with the following amendment: On page 1, line 8 after "(1)" strike "Introduce" and insert "Knowingly introduce"

Signed by Representatives Rust, Chair; Unsoeld, Vice Chair; Allen, Brekke, Brough, Jacobsen, Lux, Nutley and Valle.

MINORITY recommendation: Do not pass. Signed by Representative R. King.

Voting nay: Representatives Barnes, R. King, Lewis and May.

Absent: Representative Bond and Isaacson.

Passed to Committee on Rules for second reading.

February 21, 1985

HB 380 Prime Sponsor, Representative Grimm: Requiring the department of ecology to adopt rules and regulations to preclude flood damage. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Unsoeld, Vice Chair; Allen, Barnes, Brekke, Brough, Jacobsen, R. King, Lewis, Lux, May, Nutley and Valle.

Absent: Representatives Bond and Isaacson.

Passed to Committee on Rules for second reading.

February 21, 1985

HB 434 Prime Sponsor, Representative Niemi: Providing for licensing of full-time faculty at University of Washington school of dentistry. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass with the following amendment:  
On page 2, line 10 after "for" strike "renewals of"

Signed by Representatives Brekke, Chair; Day, Vice Chair; Armstrong, Ballard, Braddock, Brooks, Dellwo, Dobbs, Leonard, Lewis, Lux, Padden, Tanner, S. Wilson and Winsley.

Absent: Representatives Brooks, Scott, West and S. Wilson.

Passed to Committee on Rules for second reading.

February 21, 1985

HB 482 Prime Sponsor, Representative Brekke: Revising provisions relating to licensing of health care assistants. Reported by Committee on Social & Health Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Brekke, Chair; Day, Vice Chair; Armstrong, Ballard, Braddock, Brooks, Dellwo, Dobbs, Leonard, Lewis, Lux, Padden, Tanner, S. Wilson and Winsley.

Absent: Representatives Scott and West.

Passed to Committee on Rules for second reading.

February 22, 1985

HB 576 Prime Sponsor, Representative Haugen: Increasing contract amounts for approved use of small works roster. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Allen, Bristow, Brough, Doty, Ebersole, Hine, May, Patrick, Rayburn, Smitherman, Winsley and Zellinsky.

Absent: Representatives Allen and Isaacson.

Passed to Committee on Rules for second reading.

February 21, 1985

HB 601 Prime Sponsor, Representative Nutley: Authorizing the advertisement of prices as including sales tax. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 9 strike "absorbing" and insert "paying"

On page 2, line 34 strike "absorbing" and insert "paying"

Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Basich, Bristow, Hastings, Hine, Holland, J. King, Long, Madsen, G. Nelson, Niemi, Rust, Sanders, Sayan, Silver, L. Smith, Smitherman, Sommers, Tilly, Vander Stoep and B. Williams.

Voting nay: Representatives Brekke and Taylor.

Absent: Representatives Appelwick and Locke.

Passed to Committee on Rules for second reading.

February 22, 1985

HB 690 Prime Sponsor, Representative Belcher: Providing for transfer of credit in state patrol retirement system to public employees' retirement system. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Belcher, Chair; Peery, Vice Chair; Baugher, Brooks, Hankins, O'Brien, Sanders, Taylor, Todd, van Dyke, Vekich and Waik.

Absent: Representative Fuhrman.

Passed to Committee on Rules for second reading.

February 21, 1985

HB 741 Prime Sponsor, Representative Hine: Re-establishing the Puget Sound water quality authority. Reported by the Select Committee on the Clean-up and Management of Puget Sound

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hine, Chair; Rust, Vice Chair; Grimm, Haugen, Lundquist, May, Miller, G. Nelson, Schmidt, Smitherman, Thomas, Unsoeld, Vekich and Wang.

Absent: Representative Dobbs.

Passed to Committee on Rules for second reading.

February 22, 1985

HB 764 Prime Sponsor, Representative Belcher: Exempting applications for public employment from public disclosure requirement. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Belcher, Chair; Peery, Vice Chair; Baugher, Brooks, Hankins, O'Brien, Taylor, van Dyke, Vekich and Walk.

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

Voting nay: Representative Todd.

Absent: Representative Fuhrman.

Passed to Committee on Rules for second reading.

February 21, 1985

HB 1010 Prime Sponsor, Representative Grimm: Appropriating funds for the publication of the session laws. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Basich, Brekke, Bristow, Hastings, Hine, Holland, J. King, Long, Madsen, G. Nelson, Niemi, Rust, Sanders, Sayan, Silver, Smitherman, Sommers, Tilly, Vander Stoep and B. Williams.

Absent: Representatives Appelwick and Locke.

Passed to Committee on Rules for second reading.

February 21, 1985

HB 1078 Prime Sponsor, Representative P. King: Providing an early childhood assistance program. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ebersole, Chair; Valle, Vice Chair; Cole, Holland, P. King, Long, Peery, Rayburn, Rust, Taylor, Todd and Wang

MINORITY recommendation: Do not pass. Signed by Representatives Fuhrman, Schoon and L. Smith

Voting nay: Representatives Betzoff, Fuhrman, Schoon, L. Smith and Walker.

Absent: Representatives Appelwick, Chandler and Long.

Passed to Committee on Rules for second reading.

February 20, 1985

SB 3072 Prime Sponsor, Senator Talmadge: Making technical corrections and reenacting fiduciary provisions from the Washington trust act of 1984. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

\*NEW SECTION. Sec. 1. The purpose of this act is to make technical corrections to chapter 149, Laws of 1984, and to ensure that the changes made in that chapter meet the constitutional requirements of Article II, section 19 of the state Constitution.

NEW SECTION, Sec. 2. Chapter 149, Laws of 1984, as amended and reenacted in this act and in SB -- (Z-557/85), SB -- (Z-449/85), SB -- (Z-450/85), SB -- (Z-471/85), SB -- (Z-474/85), and SB -- (Z-476/85) shall be known as the Washington trust act of 1984.

Sec. 3. Section 179, chapter 149, Laws of 1984 and RCW 11.02.001 are each reenacted to read as follows:

Section headings, as found in Title 11 RCW, do not constitute any part of the law.

Sec. 4. Section 11.02.005, chapter 145, Laws of 1965 as last amended by section 4, chapter 149, Laws of 1984 and RCW 11.02.005 are each reenacted to read as follows:

When used in this title, unless otherwise required from the context:

(1) 'Personal representative' includes executor, administrator, special administrator, and guardian or limited guardian and special representative.

(2) 'Net estate' refers to the real and personal property of a decedent exclusive of homestead rights, exempt property, the family allowance and enforceable claims against, and debts of, the estate.

(3) 'Representation' refers to a method of determining distribution in which the takers are in unequal degrees of kinship with respect to the intestate, and is accomplished as follows: After first determining who, of those entitled to share in the estate, are in the nearest degree of kinship, the estate is divided into equal shares, the number of shares being the sum of the number of persons who survive the intestate who are in the nearest degree of kinship and the number of persons in the same degree of kinship who died before the intestate but who left issue surviving the intestate; each share of a deceased person in the nearest degree shall be divided among those of the intestate's issue who survive the intestate and have no ancestor then living who is in the line of relationship between them and the intestate, those more remote in degree taking together the share which their ancestor would have taken had he or she survived the intestate. Posthumous children are considered as living at the death of their parent.

(4) 'Issue' includes all the lawful lineal descendants of the ancestor and all lawfully adopted children.

(5) 'Degree of kinship' means the degree of kinship as computed according to the rules of the civil law; that is, by counting upward from the intestate to the nearest common ancestor and then downward to the relative, the degree of kinship being the sum of these two counts.

(6) 'Heirs' denotes those persons, including the surviving spouse, who are entitled under the statutes of intestate succession to the real and personal property of a decedent on the decedent's death intestate.

(7) 'Real estate' includes, except as otherwise specifically provided herein, all lands, tenements, and hereditaments, and all rights thereto, and all interest therein possessed and claimed in fee simple, or for the life of a third person.

(8) 'Will' means an instrument validly executed as required by RCW 11.12.020 and includes all codicils.

(9) 'Codicil' means an instrument that is validly executed in the manner provided by this title for a will and that refers to an existing will for the purpose of altering or changing the same, and which need not be attached thereto.

(10) 'Guardian' or 'limited guardian' means a personal representative of the person or estate of an incompetent or disabled person as defined in RCW 11.88.010 and the term may be used in lieu of 'personal representative' wherever required by context.

(11) 'Administrator' means a personal representative of the estate of a decedent and the term may be used in lieu of 'personal representative' wherever required by context.

(12) 'Executor' means a personal representative of the estate of a decedent appointed by will and the term may be used in lieu of 'personal representative' wherever required by context.

(13) 'Special administrator' means a personal representative of the estate of a decedent appointed for limited purposes and the term may be used in lieu of 'personal representative' wherever required by context.

(14) 'Trustee' means an original, added, or successor trustee and includes the state, or any agency thereof, when it is acting as the trustee of a trust to which chapter 11.98 RCW applies.

(15) Words that import the singular number may also be applied to the plural of persons and things.

(16) Words importing the masculine gender only may be extended to females also.

Sec. 5. Section 11.28.240, chapter 145, Laws of 1965 as amended by section 8, chapter 149, Laws of 1984 and RCW 11.28.240 are each reenacted to read as follows:

At any time after the issuance of letters testamentary or of administration or certificate of qualification upon the estate of any decedent, any person interested in the estate as an heir, devisee, distributee, legatee or creditor whose claim has been duly served and filed, or the lawyer for the heir, devisee, distributee, legatee, or creditor may serve upon the personal representative or upon the lawyer for the personal representative, and file with the clerk of the court wherein the administration of the estate is pending, a written request stating that the person desires special notice of any or all of the following named matters, steps or proceedings in the administration of the estate, to wit:

- (1) Filing of petitions for sales, leases, exchanges or mortgages of any property of the estate.
- (2) Petitions for any order of solvency or for nonintervention powers.
- (3) Filing of accounts.
- (4) Filing of petitions for distribution.
- (5) Petitions by the personal representative for family allowances and homesteads.
- (6) The filing of a declaration of completion.
- (7) The filing of the inventory.
- (8) Notice of presentation of personal representative's claim against the estate.
- (9) Petition to continue a going business.
- (10) Petition to borrow upon the general credit of the estate.
- (11) Petition for judicial (~~proceedings~~) proceedings under chapter 11.96 RCW.
- (12) Petition to reopen an estate.
- (13) Intent to distribute estate assets, other than distributions in satisfaction of specific bequests or legacies of specific dollar amounts.
- (14) Intent to pay attorney's or personal representative's fees.

The requests shall state the post office address of the heir, devisee, distributee, legatee or creditor, or his or her lawyer, and thereafter a brief notice of the filing of any of the petitions, accounts, declaration, inventory or claim, except petitions for sale of perishable property, or other tangible personal property which will incur expense or loss by keeping, shall be addressed to the heir, devisee, distributee, legatee or creditor, or his or her lawyer, at the post office address stated in the request, and deposited in the United States post office, with prepaid postage, at least ten days before the hearing of the petition, account or claim or of the proposed distribution or payment of fees; or personal service of the notices may be made on the heir, devisee, distributee, legatee, creditor, or lawyer, not less than five days before the hearing, and the personal service shall have the same effect as deposit in the post office, and proof of mailing or of personal service must be filed with the clerk before the hearing of the petition, account or claim or of the proposed distribution or payment of fees. If the notice has been regularly given, any distribution or payment of fees and any order or judgment, made in accord therewith is final and conclusive.

Sec. 6. Section 9, chapter 149, Laws of 1984 and RCW 11.36.021 are each reenacted to read as follows:

- (1) The following may serve as trustees:
  - (a) Any suitable persons over the age of eighteen years, if not otherwise disqualified;
  - (b) Any trust company regularly organized under the laws of this state and national banks when authorized to do so;
  - (c) Any nonprofit corporation, if the articles of incorporation or bylaws of that corporation permit the action and the corporation is in compliance with all applicable provisions of Title 24 RCW;
  - (d) Any professional service corporations regularly organized under the laws of this state whose shareholder or shareholders are exclusively attorneys; and
  - (e) Any other entity so authorized under the laws of the state of Washington.
- (2) The following are disqualified to serve as trustees:
  - (a) Minors, persons of unsound mind, or persons who have been convicted of any felony or a misdemeanor involving moral turpitude; and
  - (b) A corporation organized under Title 23A RCW that is not authorized under the laws of the state of Washington to act as a fiduciary.

Sec. 7. Section 21, chapter 117, Laws of 1974 ex. sess. as amended by section 10, chapter 149, Laws of 1984 and RCW 11.68.090 are each reenacted and amended to read as follows:

Any personal representative acting under nonintervention powers may borrow money on the general credit of the estate and may mortgage, encumber, lease, sell, exchange, convey, and otherwise do anything a trustee may do under RCW 11.98.070 and chapters ~~((11-96))~~ 11.100((;)) and 11.102 RCW with regard to the assets of the estate, both real and personal, all without an order of court and without notice, approval, or confirmation, and in all other respects administer and settle the estate of the decedent without intervention of court. Any party to any such transaction and his or her successors in interest shall be entitled to have it conclusively presumed that the transaction is necessary for the administration of the decedent's estate.

Sec. 8. Section 23, chapter 117, Laws of 1974 ex. sess. as last amended by section 11, chapter 149, Laws of 1984 and RCW 11.68.110 are each reenacted to read as follows:

If a personal representative who has acquired nonintervention powers does not apply to the court for either of the final decrees provided for in RCW 11.68.100 as now or hereafter amended, the personal representative shall, when the administration of the estate has been completed, file a declaration to that effect, which declaration shall state as follows:

- (1) The date of the decedent's death, and the decedent's residence at the time of death, whether or not the decedent died testate or intestate, and if testate, the date of the decedent's last will and testament and the date of the order admitting the will to probate;



(2) That each creditor's claim which was justly due and properly presented as required by law has been paid or otherwise disposed of by agreement with the creditor, and that the amount of state inheritance and federal estate tax due as the result of the decedent's death has been determined, settled, and paid;

(3) The personal representative has completed the administration of the decedent's estate without court intervention, and the estate is ready to be closed;

(4) If the decedent died intestate, the names, addresses (if known), and relationship of each heir of the decedent, together with the distributive share of each heir; and

(5) The amount of fees paid or to be paid to each of the following: (a) Personal representative or representatives, (b) lawyer or lawyers, (c) appraiser or appraisers, and (d) accountant or accountants; and that the personal representative believes the fees to be reasonable and does not intend to obtain court approval of the amount of the fees or to submit an estate accounting to the court for approval.

Subject to the requirement of notice as provided in this section, unless an heir, devisee, or legatee of a decedent petitions the court either for an order requiring the personal representative to obtain court approval of the amount of fees paid or to be paid to the personal representative, lawyers, appraisers, or accountants, or for an order requiring an accounting, or both, within thirty days from the date of filing a declaration of completion of probate, the personal representative will be automatically discharged without further order of the court and the representative's powers will cease thirty days after the filing of the declaration of completion of probate, and the declaration of completion of probate shall, at that time, be the equivalent of the entry of a decree of distribution in accordance with chapter 11.76 RCW for all legal intents and purposes.

Within five days of the date of the filing of the declaration of completion, the personal representative or the representative's lawyer shall mail a copy of the declaration of completion to each heir, legatee, or devisee of the decedent (who has not waived notice of said filing, in writing, filed in the cause) together with a notice which shall be substantially as follows:

CAPTION  
OF  
CASE

NOTICE OF FILING OF  
DECLARATION OF COMPLETION  
OF PROBATE

NOTICE IS GIVEN that the attached Declaration of Completion of Probate was filed by the undersigned in the above-entitled court on the ..... day of ....., 19...; unless you shall file a petition in the above-entitled court requesting the court to approve the reasonableness of the fees, or for an accounting, or both, and serve a copy thereof upon the personal representative or the personal representative's lawyer, within thirty days after the date of the filing, the amount of fees paid or to be paid will be deemed reasonable, the acts of the personal representative will be deemed approved, the personal representative will be automatically discharged without further order of the court, and the Declaration of Completion of Probate will be final and deemed the equivalent of a Decree of Distribution entered under chapter 11.76 RCW.

If you file and serve a petition within the period specified, the undersigned will request the court to fix a time and place for the hearing of your petition, and you will be notified of the time and place thereof, by mail, or personal service, not less than ten days before the hearing on the petition.

Dated this ..... day of ....., 19...

.....  
Personal Representative

If all heirs, devisees, and legatees of the decedent waive, in writing, the notice required by this section, the personal representative will be automatically discharged without further order of the court and the declaration of completion of probate will become effective as a decree of distribution upon the date of filing thereof. In those instances where the personal representative has been required to furnish bond, and a declaration of completion is filed pursuant to this section, any bond furnished by the personal representative shall be automatically discharged upon the discharge of the personal representative.

Sec. 9. Section 11.92.040, chapter 145, Laws of 1965 as last amended by section 12, chapter 149, Laws of 1984 and RCW 11.92.040 are each reenacted to read as follows:

It shall be the duty of the guardian or limited guardian:

(1) To make out and file within three months after his or her appointment a verified inventory of all the property of the incompetent or disabled person which comes to his or her possession or knowledge, including a statement of all encumbrances, liens, and other secured charges on any item;

(2) To file annually, within thirty days after the anniversary date of the guardian's or limited guardian's appointment, and also within thirty days after termination of the appointment, a written verified account of the administration: PROVIDED, That the court in its discretion may allow reports at intervals of up to thirty-six months, with instruction to the guardian or limited guardian that any substantial increase in income or assets or substantial change in the incompetent's or disabled person's condition shall be reported within thirty days of the substantial increase or change;

(3) Consistent with the powers granted by the court, if he or she is a guardian or limited guardian of the person, to care for and maintain the incompetent or disabled person, assert his or her rights and best interests, and provide timely, informed consent to necessary medical procedures, and if the incompetent or disabled person is a minor, to see that the incompetent or disabled person is properly trained and educated and that the incompetent or disabled person has the opportunity to learn a trade, occupation, or profession. As provided in RCW 11.88.125 as now or hereafter amended, the standby guardian may provide timely, informed consent to necessary medical procedures if the guardian or limited guardian cannot be located within four hours after the need for such consent arises. The guardian or limited guardian of the person may be required to report the condition of his or her incompetent or disabled person to the court, at regular intervals or otherwise as the court may direct: PROVIDED, That no guardian, limited guardian, or standby guardian may involuntarily commit for mental health treatment, observation, or evaluation an alleged incompetent or disabled person who is, himself or herself, unable or unwilling to give informed consent to such commitment unless the procedures for involuntary commitment set forth in chapters 71.05 or 72.23 RCW are followed: PROVIDED FURTHER, That nothing in this section shall be construed to allow a guardian, limited guardian, or standby guardian to consent to:

(a) Therapy or other procedure which induces convulsion;

(b) Surgery solely for the purpose of psychosurgery;

(c) Amputation;

(d) Other psychiatric or mental health procedures which are intrusive on the person's body integrity, physical freedom of movement, or the rights set forth in RCW 71.05.370.

A guardian, limited guardian, or standby guardian who believes such procedures to be necessary for the proper care and maintenance of the incompetent or disabled person shall petition the court for an order unless the court has previously approved that procedure within thirty days immediately past. The court may make such order only after an attorney is appointed in accordance with RCW 11.88.045, as now or hereafter amended, if none has heretofore appeared, notice is given, and a hearing is held in accordance with RCW 11.88.040, as now or hereafter amended;

(4) If he or she is a guardian or limited guardian of the estate, to protect and preserve it, to apply it as provided in this chapter, to account for it faithfully, to perform all of the duties required by law, and at the termination of the guardianship or limited guardianship, to deliver the assets of the incompetent or disabled person to the persons entitled thereto. Except as provided to the contrary herein, the court may authorize a guardian or limited guardian to do anything that a trustee can do under the provisions of RCW 11.98.070 for a period not exceeding one year from the date of the order or for a period corresponding to the interval in which the guardian's or limited guardian's report is required to be filed by the court pursuant to subsection (2) of this section, whichever period is longer;

(5) To invest and reinvest the property of the incompetent or disabled person in accordance with the rules applicable to investment of trust estates by trustees as provided in chapter 11.100 RCW, except that:

(a) No investments shall be made without prior order of the court in any property other than unconditional interest bearing obligations of this state or of the United States and in obligations the interest and principal of which are unconditionally guaranteed by the United States, and in share accounts or deposits which are insured by an agency of the United States government. Such prior order of the court may authorize specific investments, or, in the discretion of the court, may authorize the guardian or limited guardian during a period not exceeding one year following the date of the order or for a period corresponding to the interval in which the guardian's or limited guardian's report is required to be filed by the court pursuant to subsection (2) of this section, whichever period is longer, to invest and reinvest as provided in chapter 11.100 RCW without further order of the court;

(b) If it is for the best interests of the incompetent or disabled person that a specific property be used by the incompetent or disabled person rather than sold and the proceeds invested, the court may so order;

(6) To apply to the court for an order authorizing any disbursement on behalf of the incompetent or disabled person: PROVIDED, HOWEVER, That the guardian or limited guardian of the estate, or the person, department, bureau, agency, or charitable organization having the care and custody of an incompetent or disabled person, may apply to the court for an order directing the guardian or limited guardian of the estate to pay to the person, department, bureau, agency, or charitable organization having the care and custody of an incompetent or disabled person, or if the guardian or limited guardian of the estate has the care and custody of the incompetent or disabled person, directing the guardian or limited guardian of the estate to apply an amount weekly, monthly, quarterly, semi-annually, or annually, as the court may direct, to be expended in the care, maintenance, and education of the incompetent or disabled person and of his or her dependents. In proper cases, the court may order payment of amounts directly to the incompetent or disabled person for his or her maintenance or incidental expenses. The amounts authorized under this section may be decreased or increased from time to time by direction of the court. If payments are made to another under

an order of the court, the guardian or limited guardian of the estate is not bound to see to the application thereof.

Sec. 10. Section 13, chapter 149, Laws of 1984 and RCW 11.92.140 are each reenacted to read as follows:

The court, upon the petition of a guardian of the estate of an incompetent or disabled person (collectively hereafter referred to in this section as 'incompetent'), other than the guardian of a minor, and after such notice as the court directs and other notice to all persons interested as required by chapter 11.96 RCW, may authorize the guardian to take any action, or to apply funds not required for the incompetent's own maintenance and support, in any fashion the court approves as being in keeping with the incompetent's wishes so far as they can be ascertained and as designed to minimize insofar as possible current or prospective state or federal income and estate taxes, and to provide for gifts to such charities, relatives, and friends as would be likely recipients of donations from the incompetent.

The action or application of funds may include but shall not be limited to the making of gifts, to the conveyance or release of the incompetent's contingent and expectant interests in property including marital property rights and any right of survivorship incident to joint tenancy or tenancy by the entirety, to the exercise or release of the incompetent's powers as donee of a power of appointment, the making of contracts, the creation of revocable or irrevocable trusts of property of the incompetent's estate which may extend beyond the incompetent's disability or life, the exercise of options of the incompetent to purchase securities or other property, the exercise of the incompetent's right to elect options and to change beneficiaries under insurance and annuity policies and the surrendering of policies for their cash value, the exercise of the incompetent's right to any elective share in the estate of the incompetent's deceased spouse, and the renunciation or disclaimer of any interest acquired by testate or intestate succession or by inter vivos transfer.

The guardian in the petition shall briefly outline the action or application of funds for which approval is sought, the results expected to be accomplished thereby and the tax savings expected to accrue. The proposed action or application of funds may include gifts of the incompetent's personal or real property. Gifts may be for the benefit of prospective legatees, devisees, or heirs apparent of the incompetent, or may be made to individuals or charities in which the incompetent is believed to have an interest. Gifts may or may not, in the discretion of the court, be treated as advancements to donees who would otherwise inherit property from the incompetent under the incompetent's will or under the laws of descent and distribution. The guardian shall also indicate in the petition that any planned disposition is consistent with the intentions of the incompetent insofar as the intentions can be ascertained, and if the incompetent's intentions cannot be ascertained, the incompetent will be presumed to favor reduction in the incidence of the various forms of taxation and the partial distribution of the incompetent's estate as provided in this section. The guardian shall not, however, be required to include as a beneficiary any person whom there is reason to believe would be excluded by the incompetent. No guardian may be required to file a petition as provided in this section, and a failure or refusal to so petition the court does not constitute a breach of the guardian's fiduciary duties.

Sec. 11. Section 11.92.150, chapter 145, Laws of 1965 as last amended by section 14, chapter 149, Laws of 1984 and RCW 11.92.150 are each reenacted to read as follows:

At any time after the issuance of letters of guardianship in the estate of any incompetent or disabled person, any person interested in the estate, or in the incompetent or disabled person, or any relative of the incompetent or disabled person, or any authorized representative of any agency, bureau, or department of the United States government from or through which any compensation, insurance, pension or other benefit is being paid, or is payable, may serve upon the guardian or limited guardian, or upon the attorney for the guardian or limited guardian, and file with the clerk of the court where the administration of the guardianship or limited guardianship estate is pending, a written request stating that special written notice is desired of any or all of the following matters, steps or proceedings in the administration of the estate:

(1) Filing of petition for sales, exchanges, leases, mortgages, or grants of easements, licenses, or similar interests in any property of the estate.

(2) Filing of all intermediate or final accountings or accountings of any nature whatsoever.

(3) Petitions by the guardian or limited guardian for family allowances or allowances for the incompetent or disabled person or any other allowance of every nature from the funds of the estate.

(4) Petitions for the investment of the funds of the estate.

(5) Petition to terminate guardianship or limited guardianship or petition for adjudication of competency.

(6) Petition for judicial proceedings under chapter 11.96 RCW.

The request for special written notice shall designate the name, address and post office address of the person upon whom the notice is to be served and no service shall be required under this section and RCW 11.92.160 as now or hereafter amended other than in accordance with the designation unless and until a new designation has been made.

When any account, petition, or proceeding is filed in the estate of which special written notice is requested, the court shall fix a time for hearing which shall allow at least ten days for service of the notice before the hearing; and notice of the hearing shall be served upon the person designated in the written request at least ten days before the date fixed for the hearing. The service may be made by leaving a copy with the person designated, or that person's authorized representative, or by mailing through the United States mail, with postage prepaid to the person and place designated.

Sec. 12. Section 1, chapter 202, Laws of 1959 as last amended by section 16, chapter 149, Laws of 1984 and RCW 11.93.010 are each reenacted to read as follows:

In this chapter, unless the context otherwise requires:

(1) A 'bank' is a bank, trust company, national banking association, or mutual savings bank.

(2) A 'broker' is a person lawfully engaged in the business of effecting transactions in securities for the account of others. The term includes a bank which effects such transactions. The term also includes a person lawfully engaged in buying and selling securities for his own account, through a broker or otherwise, as a part of a regular business.

(3) 'Court' means the superior courts of the state of Washington.

(4) The 'custodial property' includes:

(a) Any property transferred to the same custodian for the same minor as a consequence of a gift or gifts made to the minor in a manner prescribed in this chapter;

(b) The income from the custodial property; and

(c) The proceeds, immediate and remote, from the sale, exchange, conversion, investment, reinvestment, surrender or other disposition of such custodial property.

(5) A 'custodian' is a person who is eighteen years or older and is designated as custodian in a manner prescribed in this chapter; the term includes a successor custodian.

(6) A 'financial institution' is a bank, a federal savings and loan association, a savings institution chartered and supervised as a savings and loan or similar institution under federal law or the laws of a state or a federal credit union or credit union chartered and supervised under the laws of a state; an 'insured financial institution' is one, deposits (including a savings, share, certificate or deposit account) in which are, in whole or in part, insured by the federal deposit insurance corporation, or by the federal savings and loan insurance corporation, or by a deposit insurance fund approved by this state.

(7) A 'guardian' of a minor means the general guardian, guardian, tutor or curator of the minor's property, or estate appointed or qualified by a court of this state or another state.

(8) An 'issuer' is a person who places or authorizes the placing of his or her name on a security (other than as a transfer agent) to evidence that it represents a share, participation or other interest in his or her property or in an enterprise or to evidence his or her duty or undertaking to perform an obligation evidenced by the security, or who becomes responsible for or in place of any such person.

(9) A 'legal representative' of a person is his or her personal representative, executor or administrator, general guardian, guardian, committee, conservator, tutor, or curator of his or her property or estate.

(10) A 'life insurance policy or annuity contract' means a life insurance policy or annuity contract issued by an insurance company authorized to do business in this state on the life of a minor to whom a gift of the policy or contract is made in the manner prescribed in this chapter or on the life of a member of the minor's family.

(11) A 'member' of a 'minor's family' means any of the minor's parents, grandparents, brothers, sisters, uncles and aunts, whether of the whole blood or the half blood, or by or through legal adoption, a stepparent or person who has raised a child without the formality of a guardianship, or close family friend.

(12) A 'minor' is a person who has not attained the age of twenty-one years.

(13) A 'security' includes any note, stock, treasury stock, bond, debenture, evidence of indebtedness, certificate of interest or participation in an oil, gas or mining title or lease or in payments out of production under such a title or lease, any interest in a general or limited partnership, collateral trust certificate, transferable share, voting trust certificate, or, in general, any interest or instrument commonly known as a security, or any certificate of interest or participation in, any temporary or interim certificate, receipt or certificate of deposit for, or any warrant or right to subscribe to or purchase, any of the foregoing. The term does not include a security of which the donor is the issuer. A security is in 'registered form' when it specifies a person entitled to it or to the rights it evidences and its transfer may be registered upon books maintained for that purpose by or on behalf of the issuer.

(14) A 'transfer agent' is a person who acts as authenticating trustee, transfer agent, registrar or other agent for an issuer in the registration of transfers of its securities or in the issue of new securities or in the cancellation of surrendered securities.

(15) A 'trust company' is a bank or corporation organized under the laws of the state of Washington that is authorized to engage in trust business.

(16) A 'real property interest' includes any note, mortgage, contract to purchase or sell real property, option to purchase or to sell real property, deed evidencing any title to or interest in real property, or, in general, any interest or instrument commonly recognized as evidencing or purporting to evidence an interest in real property, however minimal. The term does not include a 'security' within the definition set forth in subsection (13) of this section.

Sec. 13. Section 2, chapter 202, Laws of 1959 as last amended by section 17, chapter 149, Laws of 1984 and RCW 11.93.020 are each reenacted and amended to read as follows:

(1) A person who is eighteen years or older may, outright or by a trust agreement executed during his or her lifetime or by will, make or provide for a gift of tangible or intangible personal property, including securities, money, life insurance policies, annuity contracts, or real property interests to a person who is a minor on the date of the gift or distribution:

(a) If the subject of the gift is a security in registered form, by registering it in the name of the donor, another person who is eighteen years or older, or a trust company, followed, in substance, by the words: 'As custodian for (name of minor) under the Washington uniform gifts to minors act';

(b) If the subject of the gift is a security not in registered form, by delivering it to a person who is eighteen years or older other than the donor or a trust company accompanied by a statement of gift in the following form, in substance, signed by the donor and the person designated as custodian:

'GIFT UNDER THE WASHINGTON UNIFORM  
GIFTS TO MINORS ACT

I, (name of donor), hereby deliver to (name of custodian) as custodian for (name of minor) under the Washington uniform gifts to minors act, the following property: (Insert an appropriate description of the tangible or intangible property delivered sufficient to identify it or them) ..... (signature of donor) (name of custodian) hereby acknowledges receipt of the above described property as custodian for the above minor under the Washington uniform gifts to minors act.

Dated: ..... (signature of custodian)';

(c) If the subject of the gift is money, by paying or delivering it to a broker or a financial institution for credit to an account in the name of the donor, another person who is eighteen years or older, or a trust company, followed, in substance, by the words: 'As custodian for (name of minor) under the Washington uniform gifts to minors act';

(d) If the subject of the gift is a real property interest and constitutes a recordable interest or charge in or against real property in the records of the county auditor or recorder, by registering it in the name of the donor, another person who is eighteen years or older, or a trust company, followed, in substance, by the words: 'As custodian for (name of minor) under the Washington uniform gifts to minors act';

(e) If the subject of the gift is a life insurance policy or annuity contract, by causing the ownership of the policy or contract to be registered with the issuing insurance company in the name of the donor, another person who is eighteen years or older, or a trust company, followed, in substance, by the words: 'as custodian for (name of minor) under the Washington uniform gifts to minors act';

(f) If the gift is by will or as a distribution under a trust agreement, by the legal representative or trustee delivering the subject of the gift to the person, who is eighteen years or older, or a trust company designated by the decedent or settlor to serve as custodian for the minor under the Washington uniform gifts to minors act or similar uniform act of the domicile of the designated custodian and causing the subject of the gift to be registered in the name of that custodian, followed, in substance, by the words: 'As custodian for (name of minor) under the Washington (or, alternatively, state of the custodian's domicile) uniform gifts to minor's act.' If the decedent or settlor fails to designate a specific custodian or if the designated custodian dies or is unable or unwilling to serve, the legal representative, with the approval of the court having jurisdiction over the decedent's estate, or the trustee may designate a member of the minor's family who is eighteen years or older, a guardian of the minor, or a trust company as custodian. The legal representative or trustee may designate himself or herself as custodian, provided he or she falls within the class of persons or entities permitted in this subsection. The custodian's receipt constitutes a sufficient release and discharge of further accountability by the legal representative or trustee for the gift and acceptance of the custodianship by the custodian.

(2) Each gift made in a manner prescribed in subsection (1) of this section may be made to only one minor and only one person may be the custodian.

(3) A donor who makes a gift to a minor in a manner prescribed in subsection (1) of this section shall promptly do all things within his or her power to put the subject of the gift in the possession and control of the custodian, but neither the donor's failure to comply with this subsection, nor his or her designation of an ineligible person as custodian, nor renunciation by the person designated as custodian affects the consummation of the gift.

(4) The legal representative of an estate to whom a certificate of qualification, or letters testamentary or of administration are issued may, with the approval of the court having jurisdiction over the decedent's estate, or the trustee of a trust of which a minor is a distributee or

beneficiary may pay or transfer to a custodian for the minor under this chapter or a similar uniform act of the jurisdiction in which the minor may be domiciled, in the form and manner prescribed in subsection (1) (a) through (e) of this section or comparable provisions of the uniform act of the other jurisdiction, any money, security, or other property qualifying for custodial gifts which is distributable to the minor. The legal representative or trustee may make distribution in this manner if the legal representative or the trustee deems it to be in the best interests of the minor, except where the decedent, settlor, or court authorizing the distribution has expressly directed that distribution of the property due that minor shall not be made in the manner provided for in this subsection. The legal representative, with the approval of the court having jurisdiction over the decedent's estate, or the trustee shall designate a member of the minor's family who is eighteen years or older, a guardian of the minor, or a trust company as custodian. The legal representative or trustee may designate himself or herself as custodian, provided he or she falls within the class of persons or entities permitted in this subsection. This chapter governs the custodianship in the same manner as though the legal representative or trustee were the donor. The custodian's receipt constitutes a sufficient release of the transferor and discharge of further accountability by the legal representative or trustee for the property distributed and acceptance of the custodianship by the custodian. Subject to specific directions in the governing instrument, no legal representative or trustee may be required to pay or transfer to a custodian property otherwise distributable to a minor. A failure or refusal to distribute property to a custodian as authorized in this section does not constitute a breach of the legal representative's or trustee's fiduciary duties.

(5) Only property that could be the subject of a lifetime gift under this chapter may be distributed under subsections (1)(f) and (4) of this section.

(6) This section is applicable to gifts made before or after January 1, 1985, and regardless of whether the persons who made the gifts are alive on that date.

Sec. 14. Section 3, chapter 202, Laws of 1959 as last amended by section 18, chapter 149, Laws of 1984 and RCW 11.93.030 are each reenacted to read as follows:

(1) A gift made in a manner prescribed in this chapter is irrevocable and conveys to the minor indefeasibly vested legal title to the security, real property, life insurance policy, annuity contract or money given, but no guardian of the minor has any right, power, duty, or authority with respect to the custodial property except as provided in this chapter.

(2) By making a gift in a manner prescribed in this chapter, the donor incorporates in the gift all the provisions of this chapter and grants to the custodian, and to any issuer, transfer agent, bank, financial institution, life insurance company, broker or third person dealing with a person designated as custodian, the respective powers, rights, and immunities provided in this chapter.

Sec. 15. Section 4, chapter 202, Laws of 1959 as last amended by section 19, chapter 149, Laws of 1984 and RCW 11.93.040 are each reenacted to read as follows:

(1) The custodian shall collect, hold, manage, invest and reinvest the custodial property.

(2) The custodian shall pay over to the minor for expenditure by the minor, or expend for the minor's benefit, so much of or all the custodial property as the custodian deems advisable for the support, maintenance, education, and benefit of the minor in the manner, at the time or times, and to the extent that the custodian in the custodian's discretion deems suitable and proper, with or without court order, with or without regard to the duty of the custodian or of any other person to support the minor or his or her ability to do so, and with or without regard to any other income or property of the minor which may be applicable or available for any such purpose.

(3) The court, on the petition of a parent or guardian of the minor or of the minor, if the minor has attained the age of fourteen years, may order the custodian to pay over to the minor for expenditure by the minor or to expend so much of or all the custodial property as is necessary for the minor's support, maintenance or education.

(4) To the extent that the custodial property is not so expended, the custodian shall deliver or pay it over to the minor on attaining the age of twenty-one years, or, if the minor dies before attaining the age of twenty-one years, the custodian shall thereupon deliver or pay it over to the estate of the minor.

(5) The custodian, notwithstanding statutes restricting investments by fiduciaries, shall invest and reinvest the custodial property as would a prudent person of discretion and intelligence who is seeking a reasonable income and the preservation of capital, except that the custodian may, in his or her discretion and without liability to the minor or the minor's estate, retain a security given to the minor in a manner prescribed in this chapter or hold money so given in an account in a financial institution to which it was paid or delivered by the donor.

(6) The custodian may sell, exchange, convert, surrender or otherwise dispose of custodial property in the manner, at the time or times, for the price or prices and upon the terms the custodian deems advisable. The custodian may vote in person or by general or limited proxy a security which is custodial property. The custodian may consent, directly or through a committee or other agent, to the reorganization, consolidation, merger, dissolution or liquidation of an issuer, a security which is custodial property, and to the sale, lease, pledge, or mortgage of any property by or to such an issuer, and to any other action by such an issuer. The custodian

may execute and deliver any and all instruments in writing which the custodian deems advisable to carry out any power as custodian.

(7) The custodian shall register each security which is custodial property and in registered form in the name of the custodian, followed, in substance, by the words: 'as custodian for (name of minor) under the Washington uniform gifts to minors act'. The custodian shall hold all money which is custodial property in an account with a broker or in an insured financial institution in the name of the custodian, followed, in substance, by the words: 'As custodian for (name of minor) under the Washington uniform gifts to minors act'. The custodian shall keep all other custodial property separate and distinct from the custodian's own property in a manner to identify it clearly as custodial property.

(8) The custodian shall keep records of all transactions with respect to the custodial property and make them available for inspection at reasonable intervals by a parent or legal representative of the minor or by the minor, if the minor has attained the age of fourteen years.

(9) A custodian has, with respect to the custodial property, in addition to the rights and powers provided in this chapter, all the rights and powers which a guardian has with respect to property not held as custodial property, and all the rights and powers of a trustee under RCW 11.98.070.

(10) If the subject of the gift is a life insurance policy or annuity contract, the custodian:

(a) In the capacity as custodian, has all the incidents of ownership in the policy or contract to the same extent as if the custodian were the owner, except that the designated beneficiary of any policy or contract on the life of the minor shall be the minor's estate and the designated beneficiary of any policy or contract on the life of a person other than the minor shall be the custodian as custodian for the minor for whom the custodian is acting; and

(b) May pay premiums on the policy or contract out of the custodial property.

Sec. 16. Section 5, chapter 202, Laws of 1959 as amended by section 20, chapter 149, Laws of 1984 and RCW 11.93.050 are each reenacted to read as follows:

(1) A custodian is entitled to reimbursement from the custodial property for reasonable expenses incurred in the performance of custodial duties.

(2) A custodian may act without compensation for services.

(3) Unless he or she is a donor, a custodian may receive from the custodial property reasonable compensation for his or her services determined by one of the following standards in the order stated:

(a) A direction by the donor when the gift is made; or

(b) An order of the court.

(4) Except as otherwise provided in this chapter, a custodian shall not be required to give a bond for the performance of his or her duties.

(5) A custodian not compensated for services is not liable for losses to the custodial property unless they result from bad faith, intentional wrongdoing, or gross negligence, or from failure to maintain the standard of prudence in investing the custodial property provided in this chapter.

Sec. 17. Section 6, chapter 202, Laws of 1959 as last amended by section 21, chapter 149, Laws of 1984 and RCW 11.93.060 are each reenacted to read as follows:

No issuer, transfer agent, bank, life insurance company, broker or other person or financial institution acting on the instructions of or otherwise dealing with any person purporting to act as a donor or in the capacity of a custodian is responsible for determining whether the person designated as custodian by the purported donor or by the custodian or purporting to act as a custodian has been duly designated or whether any purchase, sale or transfer to or by or any other act of any person purporting to act in the capacity of custodian is in accordance with or authorized by this chapter, or is obliged to inquire into the validity or propriety under this chapter of any instrument of instructions executed or given by a person purporting to act as a donor or in the capacity of a custodian, or is bound to see to the application by any person purporting to act in the capacity of a custodian of any money or other property paid or delivered to the custodian. No issuer, transfer agent, bank, life insurance company, broker or other person or financial institution acting on any instrument of designation of a successor custodian, executed as provided in subsection (1) of RCW 11.93.070 by a minor to whom a gift has been made in a manner prescribed in this chapter, and who has attained the age of fourteen years, is responsible for determining whether the person designated by the minor as successor custodian has been duly designated, or is obliged to inquire into the validity or propriety under this chapter of the instrument of designation.

Sec. 18. Section 7, chapter 202, Laws of 1959 as last amended by section 22, chapter 149, Laws of 1984 and RCW 11.93.070 are each reenacted to read as follows:

(1) Only a member of the minor's family who is eighteen years or older, a guardian of the minor, or a trust company is eligible to become successor custodian. A custodian may designate a successor by executing and dating an instrument of designation before a subscribing witness other than the successor; the instrument of designation may but need not contain the resignation of the custodian. If the custodian does not so designate a successor before the custodian dies or becomes legally incapacitated and the minor has attained the age of fourteen

years, the minor may designate a successor custodian by executing an instrument of designation before a subscribing witness other than the successor. A successor custodian has all the rights, powers, duties, and immunities of a custodian designated in a manner prescribed by this chapter.

(2) The designation of a successor custodian as provided in subsection (1) takes effect as to each item of the custodial property when the custodian resigns, dies, or becomes legally incapacitated and the custodian or his or her legal representative:

(a) Causes the item if it is a security in registered form or a life insurance policy or annuity contract, to be registered, with the issuing insurance company in the case of a life insurance policy or annuity contract, in the name of the successor custodian followed, in substance, by the words: 'As custodian for (name of minor) under the Washington uniform gifts to minors act'; and

(b) Delivers or causes to be delivered to the successor custodian any other item of the custodial property, together with the instrument of designation of the successor custodian or a true copy thereof and any additional instruments required for the transfer thereof to the successor custodian.

(3) A custodian who executes an instrument of designation of a successor containing the custodian's resignation as provided in subsection (1) of this section shall promptly do all things within his or her power to put each item of the custodial property in the possession and control of the successor custodian named in the instrument. The legal representative of a custodian who dies or becomes legally incapacitated shall promptly do all things within his or her power to put each item of the custodial property in the possession and control of the successor custodian named in an instrument of designation executed as provided in subsection (1) of this section by the custodian or, if none, by the minor if the minor has no guardian and has attained the age of fourteen years, or in the possession and control of the guardian of the minor if the minor has a guardian. If the custodian has executed as provided in subsection (1) of this section more than one instrument of designation, the custodian's legal representative shall treat the instrument dated on an earlier date as having been revoked by the instrument dated on a later date.

(4) If a person designated as custodian or as successor custodian by the custodian as provided in subsection (1) of this section is not eligible, dies, or becomes legally incapacitated before the minor attains the age of twenty-one years and if the minor has a guardian, the guardian of the minor shall be successor custodian. If the minor has no guardian and if no successor custodian who is eligible and has not died or become legally incapacitated has been designated as provided in subsection (1) of this section, a donor, his or her legal representative, the legal representative of the custodian, or an adult member of the minor's family may petition the court for the designation of a successor custodian.

(5) A donor, the legal representative of a donor, a successor custodian, a member of the minor's family who is eighteen years or older, or a guardian of the minor or the minor if the minor has attained the age of fourteen years, may petition the court that, for cause shown in the petition, the custodian be removed and a successor custodian be designated or, in the alternative, that the custodian be required to give bond for the performance of his or her duties.

(6) Upon the filing of a petition as provided in this section, the court shall grant an order, directed to the persons and returnable on such notice as the court may require, to show cause why the relief prayed for in the petition should not be granted and, in due course, grant such relief as the court finds to be in the best interests of the minor.

Sec. 19. Section 8, chapter 202, Laws of 1959 as amended by section 23, chapter 149, Laws of 1984 and RCW 11.93.080 are each reenacted to read as follows:

(1) The minor, if the minor has attained the age of fourteen years, or the legal representative of the minor, a member of the minor's family who is eighteen years or older, or a donor or his or her legal representative may petition the court for an accounting by the custodian or the custodian's legal representative.

(2) The court, in a proceeding under this chapter or otherwise, may require or permit the custodian or the custodian's legal representative to account and, if the custodian is removed, shall so require and order delivery of all custodial property to the successor custodian and the execution of all instruments required for the transfer thereof.

Sec. 20. Section 10, chapter 202, Laws of 1959 and RCW 11.93.900 are each reenacted to read as follows:

This chapter may be cited as the 'Washington uniform gifts to minors act'.

Sec. 21. Section 9, chapter 202, Laws of 1959 and RCW 11.93.910 are each reenacted to read as follows:

(1) This chapter shall be so construed as to effectuate its general purpose to make uniform the law of those states which enact it.

(2) This chapter shall not be construed as providing an exclusive method for making gifts to minors.

Sec. 22. Section 7, chapter 88, Laws of 1967 ex. sess. and RCW 11.93.911 are each reenacted to read as follows:



The provisions of chapter 202, Laws of 1959 hereby amended as hereby amended shall be construed as a continuation of chapter 202, Laws of 1959 hereby amended according to the language employed and not as a new enactment. This amendment of chapter 202, Laws of 1959 hereby amended does not affect gifts made in a manner prescribed therein nor the powers, duties or immunities conferred by gifts in such manner upon custodians and persons dealing with custodians. The provisions of chapter 202, Laws of 1959 hereby amended as hereby amended henceforth apply, however, to all gifts made in a manner and form prescribed in chapter 202, Laws of 1959 hereby amended except insofar as such application impairs constitutionally vested rights.

Sec. 23. Section 25, chapter 149, Laws of 1984 and RCW 11.93.912 are each reenacted and amended to read as follows:

All custodianships established prior to January 1, 1985, that have not been fully distributed as of that date shall not terminate upon the minor attaining the age of eighteen, but these custodianships shall remain operative until the minor reaches the age of twenty-one or sooner dies, except that, as to any custodianship established after August 9, 1971, but before January 1, 1985, a minor has the right after attaining the age of eighteen to demand delivery from the custodian of all or any portion of the custodianship property.

Sec. 24. Section 11, chapter 202, Laws of 1959 and RCW 11.93.920 are each reenacted to read as follows:

If any provision of this chapter or the application thereof to any person or circumstances is held invalid, the invalidity shall not affect other provisions or applications of the chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are severable.

Sec. 25. Section 52, chapter 117, Laws of 1974 ex. sess. as amended by section 26, chapter 149, Laws of 1984 and RCW 11.94.010 are each reenacted and amended to read as follows:

(1) Whenever a principal designates another ~~((the))~~ as his or her attorney in fact or agent, by a power of attorney in writing, and the writing contains the words 'This power of attorney shall not be affected by disability of the principal,' or 'This power of attorney shall become effective upon the disability of the principal,' or similar words showing the intent of the principal that the authority conferred shall be exercisable notwithstanding the principal's disability, the authority of the attorney in fact or agent is exercisable ~~((by the principal in the power))~~ on behalf of the principal as provided notwithstanding later disability or incapacity of the principal at law or later uncertainty as to whether the principal is dead or alive. All acts done by the attorney in fact or agent pursuant to the power during any period of disability or incompetence or uncertainty as to whether the principal is dead or alive have the same effect and inure to the benefit of and bind the principal or the principal's guardian or heirs, devisees, and personal representative as if the principal were alive, competent, and not disabled. A principal may nominate, by a durable power of attorney, the guardian or limited guardian of his or her estate or person for consideration by the court if protective proceedings for the principal's person or estate are thereafter commenced. The court shall make its appointment in accordance with the principal's most recent nomination in a durable power of attorney except for good cause or disqualification. If a guardian thereafter is appointed for the principal, the attorney in fact or agent, during the continuance of the appointment, shall account to the guardian rather than the principal. The guardian has the same power the principal would have had if the principal were not disabled or incompetent, to revoke, suspend or terminate all or any part of the power of attorney or agency.

(2) Persons shall place reasonable reliance on any determination of disability or incompetence as provided in the instrument that specifies the time and the circumstances under which the power of attorney document becomes effective.

Sec. 26. Section 53, chapter 117, Laws of 1974 ex. sess. as last amended by section 27, chapter 149, Laws of 1984 and RCW 11.94.020 are each reenacted and amended to read as follows:

(1) The death, disability, or incompetence of any principal who has executed a power of attorney in writing other than a power as described by RCW 11.94.010, does not revoke or terminate the agency as to the attorney in fact, agent, or other person who, without actual knowledge of the death, disability, or incompetence of the principal, acts in good faith under the power of attorney or agency. Any action so taken, unless otherwise invalid or unenforceable, binds the principal and the principal's heirs, devisees, and personal representatives.

(2) An affidavit, executed by the attorney in fact, or agent, stating that the attorney did not have, at the time of doing an act pursuant to the power of attorney, actual knowledge of the revocation or termination of the power of attorney by death, disability, or incompetence, is, in the absence of a showing of fraud or bad faith, conclusive proof of the nonrevocation or non-termination of the power at that time. If the exercise of the power requires execution and delivery of any instrument which is recordable, the affidavit when authenticated for record is likewise recordable.

(3) This section shall not be construed to alter or affect any provision for revocation or termination contained in the power of attorney.

~~((4) Any person may place reasonable reliance on any determination of disability or incompetence as provided in the instrument which specifies the time and the circumstances under which the power of attorney document becomes effective.))~~

Sec. 27. Section 28, chapter 149, Laws of 1984 and RCW 11.94.030 are each reenacted and amended to read as follows:

If a principal, pursuant to RCW 11.94.010 or 11.94.020, has given a designated attorney in fact or agent all the principal's powers of absolute ownership or has used language to indicate that the attorney in fact or agent has all the powers the principal would have if alive and competent, then that language, notwithstanding chapter 30.22 RCW, includes the authority (1) to deposit and to make payments from any account in a financial institution, as defined in RCW 30.22.040, in the name of the principal, and (2) to enter any safe deposit box to which the principal has a right of access, subject to any contrary provision in any agreement governing the safe deposit box.

Sec. 28. Section 29, chapter 149, Laws of 1984 and RCW 11.94.040 are each reenacted and amended to read as follows:

Any person acting without negligence and in good faith in reasonable reliance on a power of attorney shall not incur any liability thereby. Unless the document contains a time limit, the length of time which has elapsed from its date of execution shall not prevent a party from reasonably relying on the document. Unless the document contains a requirement that it be filed for record to be effective, a person ~~((may))~~ shall place reasonable reliance on it regardless of whether it is so filed.

Sec. 29. Section 30, chapter 149, Laws of 1984 and RCW 11.94.050 are each reenacted and amended to read as follows:

(1) ~~((Except as provided in subsection (2) of this section, even though))~~ Although a designated attorney in fact or agent has all powers of absolute ownership of the principal, or the document has language to indicate that the attorney in fact or agent shall have all the powers the principal would have if alive and competent, the attorney in fact or agent shall not have the power, unless specifically provided otherwise in the document: To make, amend, alter, or revoke any of the principal's wills, codicils, life insurance beneficiary designations, employee benefit plan beneficiary designations, trust agreements, community property agreements; to make any gifts of property owned by the principal; to make transfers of property to any trust (whether or not created by the principal) unless the trust benefits the principal alone and does not have dispositive provisions which are different from those which would have governed the property had it not been transferred into the trust, or to disclaim property.

(2) Nothing in subsection (1) of this section prohibits ~~((a spouse of a principal from acting as))~~ an attorney in fact or ~~((as an))~~ agent ~~((to make))~~ from making any transfer of resources not prohibited under RCW 74.09.532 when the transfer is for the purpose of qualifying the principal for medical assistance or the limited casualty program for the medically needy.

Sec. 30. Section 31, chapter 149, Laws of 1984 and RCW 11.94.060 are each reenacted and amended to read as follows:

If a principal, pursuant to RCW 11.94.010 or 11.94.020, has given a designated attorney in fact or agent all the principal's powers of absolute ownership or has used language to indicate that the attorney in fact or agent has all the powers the principal would have if alive and competent, then these powers include the right to convey or encumber the principal's homestead.

Sec. 31. Section 1, chapter 160, Laws of 1955 as amended by section 33, chapter 149, Laws of 1984 and RCW 11.95.010 are each reenacted to read as follows:

Any power exercisable by deed, will, or otherwise, other than a power in trust which is imperative, is releasable, either with or without consideration, by written instrument signed by the holder and delivered as hereinafter provided.

Sec. 32. Section 2, chapter 160, Laws of 1955 as amended by section 34, chapter 149, Laws of 1984 and RCW 11.95.020 are each reenacted to read as follows:

A power which is releasable may be released with respect to the whole or any part of the property subject to the power and may also be released in such manner as to reduce or limit the persons or objects, or classes of persons or objects, in whose favor the powers would otherwise be exercisable. A release of a power shall not be deemed to make imperative a power which was not imperative prior to the release, unless the instrument of release expressly so provides.

Sec. 33. Section 3, chapter 160, Laws of 1955 as amended by section 35, chapter 149, Laws of 1984 and RCW 11.95.030 are each reenacted to read as follows:

In order to be effective as a release of a power, the instrument of release must be delivered to any trustee or co-trustee of the property, and the person holding the property, to which the power relates. Delivery of a copy of the instrument of release may be made to the secretary of state, which shall from the time of delivery constitute notice of the release to all other persons.

Sec. 34. Section 4, chapter 160, Laws of 1955 as amended by section 36, chapter 149, Laws of 1984 and RCW 11.95.040 are each reenacted to read as follows:

The enactment of RCW 11.95.010 through 11.95.050 shall not be construed to impair the validity of any release heretofore made which was otherwise valid when executed.

Sec. 35. Section 5, chapter 160, Laws of 1955 and RCW 11.95.050 are each reenacted to read as follows:

It shall be the duty of the secretary of state to mark each instrument of release filed in his office with a consecutive file number and with the date and hour of filing, and to note and index the filing in a suitable alphabetical index according to the name or names of the person or persons signing the same and containing a notation of the address or addresses of the signer or signers, if given in the instrument. The fee for filing is one dollar. The secretary of state shall deliver or mail to the person filing the instrument a receipt showing the filing number and date and hour of filing.

Sec. 36. Section 38, chapter 149, Laws of 1984 and RCW 11.95.060 are each reenacted and amended to read as follows:

(1) The holder of a testamentary or lifetime power of appointment may exercise the power by appointing property outright or in trust and may grant further powers to appoint. The powerholder may designate the trustee, powers, situs, and governing law for property appointed in trust.

(2) The holder of a testamentary power may exercise the power only by the powerholder's last will, signed before or after the effective date of the instrument granting the power, that manifests an intent to exercise the power and that identifies the instrument granting the power and its date. Unless the person holding the property subject to the power has within six months after the holder's death received written notice that the powerholder's last will has been admitted to probate or an adjudication of testacy has been entered with respect to the powerholder's last will in some jurisdiction, the person may, until the time the notice is received, transfer the property subject to appointment on the basis that the power has not been effectively exercised. The person holding the property shall not incur liability to anyone for transfers so made. A testamentary residuary clause is not deemed the exercise of a testamentary power.

(3) The holder of a lifetime power of appointment shall exercise that power only by delivering a written instrument, signed by the holder, to the person holding the property subject to the power. If the holder conditions the distribution of the appointed property on a future event, the written instrument may be (made revocable until the event specified has occurred and shall specify the method of its revocation) revoked in the same manner at any time before the property becomes distributable upon occurrence of the event specified, except that any contrary provisions in the written instrument exercising the power, including provisions stating the exercise of the power is irrevocable, shall be controlling. If the written instrument is revoked, the holder of the power may reappoint the property that was appointed in the instrument. In the absence of signing and delivery of such a written instrument, a lifetime power is not deemed exercised.

Sec. 37. Section 39, chapter 149, Laws of 1984 and RCW 11.95.070 are each reenacted and amended to read as follows:

(1) This chapter does not apply to any power as trustee described in and subject to RCW 11.98.019.

(2) Sections 33 through 36, 38, and 39, chapter 149, Laws of 1984 and the 1984 recodification of RCW 64.24.050 as RCW 11.95.050 apply as of January 1, 1985, to all existing or subsequently created powers of appointment, but not to any power of appointment that expressly or by necessary implication make those 1984 changes inapplicable.

Sec. 38. Section 2, chapter 124, Laws of 1959 as amended by section 64, chapter 149, Laws of 1984 and RCW 11.97.010 are each reenacted to read as follows:

The trustor of a trust may by the provisions of the trust relieve the trustee from any or all of the duties, restrictions, and liabilities which would otherwise be imposed by chapters 11.95, 11.98, 11.100, and 11.104 RCW and RCW 11.106.020, or may alter or deny any or all of the privileges and powers conferred by those provisions; or may add duties, restrictions, liabilities, privileges, or powers to those imposed or granted by those provisions. If any specific provision of those chapters is in conflict with the provisions of a trust, the provisions of the trust control whether or not specific reference is made in the trust to any of those chapters. In no event may a trustee be relieved of the duty to act in good faith and with honest judgment.

Sec. 39. Section 65, chapter 149, Laws of 1984 and RCW 11.97.900 are each reenacted to read as follows:

This chapter applies to the provisions of chapters 11.95, 11.98, 11.100, and 11.104 RCW and to RCW 11.106.020.

Sec. 40. Section 1, chapter 124, Laws of 1959 as last amended by section 67, chapter 149, Laws of 1984 and RCW 11.98.009 are each reenacted to read as follows:

Except as provided in this section, this chapter applies to express trusts executed by the trustor after June 10, 1959, and does not apply to resulting trusts, constructive trusts, business trusts where certificates of beneficial interest are issued to the beneficiary, investment trusts, voting trusts, trusts in the nature of mortgages or pledges, trusts created by the judgment or decree of a court not sitting in probate, liquidation trusts, or trusts for the sole purpose of paying

dividends, interest, interest coupons, salaries, wages, pensions or profits, trusts created in deposits in any financial institution pursuant to chapter 30.22 RCW, unless any such trust which is created in writing incorporates this chapter in whole or in part.

Sec. 41. Section 3, chapter 124, Laws of 1959 as amended by section 68, chapter 149, Laws of 1984 and RCW 11.98.016 are each reenacted to read as follows:

(1) Any power vested in three or more trustees jointly may be exercised by a majority of such trustees; but no trustee who has not joined in exercising a power is liable to the beneficiaries or to others for the consequences of such exercise; nor is a dissenting trustee liable for the consequences of an act in which that trustee joins at the direction of the majority of the trustees, if that trustee expressed his or her dissent in writing to each of the co-trustees at or before the time of such joinder.

(2) Where two or more trustees are appointed to execute a trust and one or more of them for any reason does not accept the appointment or having accepted ceases to be a trustee, the survivor or survivors shall execute the trust and shall succeed to all the powers, duties and discretionary authority given to the trustees jointly.

(3) An individual trustee, with a co-trustee's consent, may, by a signed, written instrument, delegate any power, duty, or authority as trustee to that co-trustee. This delegation is effective upon delivery of the instrument to that co-trustee and may be revoked at any time by delivery of a similar signed, written instrument to that co-trustee. However, if a power, duty, or authority is expressly conferred upon only one trustee, it shall not be delegated to a co-trustee. If that power, duty, or authority is expressly excluded from exercise by a trustee, it shall not be delegated to the excluded trustee.

(4) If one trustee gives written notice to all other co-trustees of an action that the trustee proposes to be taken, then the failure of any co-trustee to deliver a written objection to the proposal to the trustee, at the trustee's then address of record and within fifteen days from the date the co-trustee actually receives the notice, constitutes formal approval by the co-trustee, unless the co-trustee had previously given written notice that was unrevoked at the time of the trustee's notice, to that trustee that this fifteen-day notice provision is inoperative.

(5) As to any effective delegation made under subsection (3) of this section, a co-trustee has no liability for failure to participate in the administration of the trust.

Nothing in this section, however, otherwise excuses a co-trustee from liability for failure to participate in the administration of the trust and nothing in this section, including subsection (3) of this section, excuses a co-trustee from liability for the failure to attempt to prevent a breach of trust.

Sec. 42. Section 69, chapter 149, Laws of 1984 and RCW 11.98.019 are each reenacted and amended to read as follows:

Any (~~individual co-trustee~~) trustee may, by written instrument delivered to (~~the~~) any then acting co-trustee and to the current adult income beneficiaries of the trust, relinquish to any extent and upon any terms any or all of the trustee's powers, rights, authorities, or discretions that are or may be tax sensitive in that they cause or may cause adverse tax consequences to the trustee or the trust. Any trustee not relinquishing such a power, right, authority, or discretion and upon whom it is conferred continues to have full power to exercise it.

Sec. 43. Section 4, chapter 124, Laws of 1959 and RCW 11.98.029 are each reenacted and amended to read as follows:

~~(Upon petition of the trustee of a trust, the superior court having jurisdiction may accept his resignation and discharge him from the trust upon such notice, if any, and upon such terms as such court may require.)~~ Any trustee may resign, without judicial proceedings, by a writing signed by the trustee and filed with the trust records, to be effective upon the trustee's discharge as provided in section 141 of this 1985 act.

Sec. 44. Section 5, chapter 124, Laws of 1959 as amended by section 72, chapter 149, Laws of 1984 and RCW 11.98.039 are each reenacted and amended to read as follows:

(1) Where a vacancy occurs in the office of the trustee and there is a successor trustee who is willing to serve as trustee and (a) is named in the governing instrument as successor trustee or (b) has been selected to serve as successor trustee under the procedure established in the governing instrument for the selection of a successor trustee, the outgoing trustee, or any other interested party, shall give notice of such vacancy, whether arising because of the trustee's resignation or because of any other reason, and of the successor trustee's agreement to serve as trustee, to all adult income beneficiaries of the trust and to all known and identifiable adults for whom the income of the trust is being accumulated. If there are no such adults, no notice need be given. The successor trustee named in the governing instrument or selected pursuant to the procedure therefor established in the governing instrument shall be entitled to act as trustee except for good cause or disqualification. The successor trustee shall serve as of the effective date of the discharge of the predecessor trustee as provided in RCW 11.98.040.

(2) Where a vacancy exists or occurs in the office of the trustee and there is no successor trustee who is named in the governing instrument or who has been selected to serve as successor trustee under the procedure established in the governing instrument for the selection of a successor trustee, and who is willing to serve as trustee, the beneficiaries and the then-acting

trustee, if any, of a trust may agree for the nonjudicial change of the trustee under RCW 11.96.170 ~~((if the governing instrument does not name a successor trustee who is willing to serve)).~~ The trustee, or any beneficiary if there is no then-acting trustee, shall give written notice of the proposed change in trustee to every beneficiary or special representative, and to the trustor if alive. The notice shall: (a) State the name and mailing address of the trustee or the beneficiary giving the notice; (b) include a copy of the governing instrument; ~~((and))~~ (c) state the name and mailing address of the successor trustee; and (d) include a copy of the proposed successor trustee's agreement to serve as trustee. The notice shall advise the recipient of the right to petition for ~~((the))~~ a judicial ~~((determination of the proposed))~~ appointment or change in trustee as provided in subsection ~~((2))~~ (3) of this section. The notice shall include a form on which consent or objection to the proposed change in trustee may be indicated. The successor trustee shall serve as of the effective date of the discharge of the predecessor trustee as provided in section 141 of this 1985 act or, in circumstances where there is no predecessor trustee, as of the effective date of the trustee's appointment.

~~((2))~~ (3) Any beneficiary of a trust, the trustor if alive, or the trustee may petition the superior court having jurisdiction for the appointment or change of a trustee under the procedures provided in chapter 11.96 RCW (a) whenever the office of trustee becomes vacant, (b) upon filing of a petition of resignation by a trustee, ~~((or))~~ (c) upon the giving of notice of the change in trustee as referred to in subsection (1) or (2) of this section, or (d) for any other reasonable cause.

~~((3))~~ (4) For purposes of this subsection, the term fiduciary includes both trustee and personal representative.

(a) Except as otherwise provided in the governing instrument, a successor fiduciary, absent actual knowledge of a breach of fiduciary duty: (i) Is not liable for any act or omission of a predecessor fiduciary and is not obligated to inquire into the validity or propriety of any such act or omission; (ii) is authorized to accept as conclusively accurate any accounting or statement of assets tendered to the successor fiduciary by a predecessor fiduciary; and (iii) is authorized to receipt only for assets actually delivered and has no duty to make further inquiry as to undisclosed assets of the trust or estate.

(b) Nothing in this section relieves a successor fiduciary from liability for retaining improper investments, nor does this section in any way bar the successor fiduciary, trust beneficiaries, or other party in interest from bringing an action against a predecessor fiduciary arising out of the acts or omissions of the predecessor fiduciary, nor does it relieve the successor fiduciary of liability for its own acts or omissions except as specifically stated or authorized in this section.

Sec. 45. Section 74, chapter 149, Laws of 1984 and RCW 11.98.045 are each reenacted to read as follows:

(1) A trustee may transfer trust assets to a trustee in another jurisdiction or may transfer the place of administration of a trust to another jurisdiction if the trust instrument so provides or in accordance with RCW 11.98.051 or 11.98.055.

(2) Transfer under this section is permitted only if:

(a) The transfer would facilitate the economic and convenient administration of the trust;

(b) The transfer would not materially impair the interests of the beneficiaries or others interested in the trust;

(c) The transfer does not violate the terms of the trust; and

(d) The new trustee is qualified and able to administer the trust or such assets on the terms set forth in the trust.

(3) Acceptance of such transfer by a foreign corporate trustee or trust company under this section, RCW 11.98.051, or 11.98.055 shall not be construed to be doing a 'trust business' as described in RCW 30.08.150(9).

Sec. 46. Section 75, chapter 149, Laws of 1984 and RCW 11.98.051 are each reenacted to read as follows:

(1) The trustee may transfer trust assets or the place of administration in accordance with RCW 11.96.170. In addition, the trustee shall give written notice to those persons entitled to notice as provided for under RCW 11.96.100 and 11.96.110 and to the attorney general in the case of a charitable trust subject to chapter 11.110 RCW. The notice shall:

(a) State the name and mailing address of the trustee;

(b) Include a copy of the governing instrument of the trust;

(c) Include a statement of assets and liabilities of the trust dated within ninety days of the notice;

(d) State the name and mailing address of the trustee to whom the assets or administration will be transferred together with evidence that the trustee has agreed to accept the assets or trust administration in the manner provided by law of the new place of administration. The notice shall also contain a statement of the trustee's qualifications and the name of the court, if any, having jurisdiction of that trustee or in which a proceeding with respect to the administration of the trust may be heard;

(e) State the facts supporting the requirements of RCW 11.98.045(2);

(f) Advise the beneficiaries of the right to petition for judicial determination of the proposed transfer as provided in RCW 11.98.055; and

(g) Include a form on which the recipient may indicate consent or objection to the proposed transfer.

(2) If the trustee receives written consent to the proposed transfer from all persons entitled to notice, the trustee may transfer the trust assets or place of administration as provided in the notice. Transfer in accordance with the notice is a full discharge of the trustee's duties in relation to all property referred to therein. Any person dealing with the trustee is entitled to rely on the authority of the trustee to act and is not obliged to inquire into the validity or propriety of the transfer.

Sec. 47. Section 76, chapter 149, Laws of 1984 and RCW 11.98.055 are each reenacted to read as follows:

(1) Any trustee, beneficiary, or beneficiary representative may petition the superior court of the county of the situs of the trust for a transfer of trust assets or transfer of the place of administration in accordance with chapter 11.96 RCW.

(2) At the conclusion of the hearing, if the court finds the requirements of RCW 11.98.045(2) have been satisfied, it may direct the transfer of trust assets or the place of trust administration on such terms and conditions as it deems appropriate. The court in its discretion may provide for payment from the trust of reasonable fees and expenses for any party to the proceeding. Delivery of trust assets in accordance with the court's order is a full discharge of the trustee's duties in relation to all transferred property.

Sec. 48. Section 6, chapter 124, Laws of 1959 and RCW 11.98.060 are each reenacted to read as follows:

A successor trustee of a trust shall succeed to all the powers, duties and discretionary authority of the original trustee.

Sec. 49. Section 78, chapter 149, Laws of 1984 and RCW 11.98.065 are each reenacted to read as follows:

Any appointment of a specific bank, trust company, or corporation as trustee is conclusively presumed to authorize the appointment or continued service of that entity's successor in interest in the event of a merger, acquisition, or reorganization, and no court proceeding is necessary to affirm the appointment or continuance of service.

Sec. 50. Section 7, chapter 124, Laws of 1959 as amended by section 80, chapter 149, Laws of 1984 and RCW 11.98.070 are each reenacted and amended to read as follows:

A trustee, or the trustees jointly, of a trust, in addition to the authority otherwise given by law, have discretionary power to acquire, invest, reinvest, exchange, sell, convey, control, divide, partition, and manage the trust property in accordance with the standards provided by law, and in so doing may:

(1) Receive property from any source as additions to the trust or any fund of the trust to be held and administered under the provisions of the trust;

(2) Sell on credit;

(3) Grant, purchase or exercise options;

(4) Sell or exercise subscriptions to stock or other corporate securities and to exercise conversion rights;

(5) Deposit stock or other corporate securities with any protective or other similar committee;

(6) Assent to corporate sales, leases, and encumbrances;

(7) Vote trust securities in person or by proxy with power of substitution; and enter into voting trusts;

(8) Register and hold any stocks, securities, or other property in the name of a nominee or nominees without mention of the trust relationship, provided the trustee or trustees are liable for any loss occasioned by the acts of any nominee, except that this subsection shall not apply to situations covered by RCW 11.98.070(31);

(9) Grant leases of trust property, with or without options to purchase or renew, to begin within a reasonable period and for terms within or extending beyond the duration of the trust, for any purpose including exploration for and removal of oil, gas and other minerals; enter into community oil leases, pooling and unitization agreements;

(10) Subdivide, develop, dedicate to public use, make or obtain the vacation of public plats, adjust boundaries, partition real property, and on exchange or partition to adjust differences in valuation by giving or receiving money or money's worth;

(11) Compromise or submit claims to arbitration;

(12) Borrow money, secured or unsecured, from any source, including a corporate trustee's banking department, or from the individual trustee's own funds;

(13) Make loans, either secured or unsecured, at such interest as the trustee may determine to any person, including any beneficiary of a trust, except that no trustee who is a beneficiary of a trust may participate in decisions regarding loans to such beneficiary from the trust, and also except that if a beneficiary or the grantor of a trust has the power to change a trustee of the trust, the power to loan shall be limited to loans at a reasonable rate of interest and for adequate security;

(14) Determine the hazards to be insured against and maintain insurance for them;

(15) Select any part of the trust estate in satisfaction of any partition or distribution, in kind, in money or both; make nonpro rata distributions of property in kind; allocate particular assets or portions of them or undivided interests in them to any one or more of the beneficiaries without regard to the income tax basis of specific property allocated to any beneficiary and without any obligation to make an equitable adjustment;

(16) Pay any income or principal distributable to or for the use of any beneficiary, whether that beneficiary is under legal disability, to the beneficiary or for the beneficiary's use to the beneficiary's parent, guardian, custodian under the uniform gifts to minors act of any state, person with whom he resides, or third person;

(17) Change the character of or abandon a trust asset or any interest in it;

(18) Mortgage, pledge the assets or the credit of the trust estate, or otherwise encumber trust property, including future income, whether an initial encumbrance or a renewal or extension of it, for a term within or extending beyond the term of the trust, in connection with the exercise of any power vested in the trustee;

(19) Make ordinary or extraordinary repairs or alterations in buildings or other trust property, demolish any improvements, raze existing structures, and make any improvements to trust property;

(20) Create restrictions, easements, including easements to public use without consideration, and other servitudes;

(21) Manage any business interest, including any farm or ranch interest, regardless of form, received by the trustee from the trustor of the trust, as a result of the death of a person, or by gratuitous transfer from any other transferor, and with respect to the business interest, have the following powers:

(a) To hold, retain, and continue to operate that business interest solely at the risk of the trust, without need to diversify and without liability on the part of the trustee for any resulting losses;

(b) To enlarge or diminish the scope or nature or the activities of any business;

(c) To authorize the participation and contribution by the business to any employee benefit plan, whether or not qualified as being tax deductible, as may be desirable from time to time;

(d) To use the general assets of the trust for the purpose of the business and to invest additional capital in or make loans to such business;

(e) To endorse or guarantee on behalf of the trust any loan made to the business and to secure the loan by the trust's interest in the business or any other property of the trust;

(f) To leave to the discretion of the trustee the manner and degree of the trustee's active participation in the management of the business, and the trustee is authorized to delegate all or any part of the trustee's power to supervise, manage, or operate to such persons as the trustee may select, including any partner, associate, director, officer, or employee of the business; and also including electing or employing directors, officers, or employees of the trustee to take part in the management of the business as directors or officers or otherwise, and to pay that person reasonable compensation for services without regard to the fees payable to the trustee;

(g) To engage, compensate, and discharge or to vote for the engaging, compensating, and discharging of managers, employees, agents, lawyers, accountants, consultants, or other representatives, including anyone who may be a beneficiary of the trust or any trustee;

(h) To cause or agree that surplus be accumulated or that dividends be paid;

(i) To accept as correct financial or other statements rendered by any accountant for any sole proprietorship or by any partnership or corporation as to matters pertaining to the business except upon actual notice to the contrary;

(j) To treat the business as an entity separate from the trust, and in any accounting by the trustee it is sufficient if the trustee reports the earning and condition of the business in a manner conforming to standard business accounting practice;

(k) To exercise with respect to the retention, continuance, or disposition of any such business all the rights and powers that the trustor of the trust would have if alive at the time of the exercise, including all powers as are conferred on the trustee by law or as are necessary to enable the trustee to administer the trust in accordance with the instrument governing the trust, subject to any limitations provided for in the instrument; and

(l) To satisfy contractual and tort liabilities arising out of an unincorporated business, including any partnership, first out of the business and second out of the estate or trust, but in no event may there be a liability of the trustee, except as provided in RCW 11.98.110 (2) and (4), and if the trustee is liable, the trustee is entitled to indemnification from the business and the trust, respectively;

(22) Participate in the establishment of, and thereafter in the operation of, any business or other enterprise according to subsection (21) of this section except that the trustee shall not be relieved of the duty to diversify;

(23) Cause or participate in, directly or indirectly, the formation, reorganization, merger, consolidation, dissolution, or other change in the form of any corporate or other business undertaking where trust property may be affected and retain any property received pursuant to the change;

(24) Limit participation in the management of any partnership and act as a limited or general partner;

(25) Charge profits and losses of any business (~~or farm~~) operation, including farm or ranch operation, to the trust estate as a whole and not to the trustee; make available to or invest in any business or farm operation additional moneys from the trust estate or other sources;

(26) Pay reasonable compensation to the trustee or co-trustees considering all circumstances including the time, effort, skill, and responsibility involved in the performance of services by the trustee;

(27) Employ persons, including lawyers, accountants, investment advisors, or agents, even if they are associated with the trustee, to advise or assist the trustee in the performance of the trustee's duties or to perform any act, regardless of whether the act is discretionary, and to act without independent investigation upon their recommendations, except a trustee may not delegate all of the trustee's duties and responsibilities, and except that this employment does not relieve the trustee of liability for the discretionary acts of a person, which if done by the trustee, would result in liability to the trustee, or of the duty to select and retain a person with reasonable care;

(28) Appoint an ancillary trustee or agent to facilitate management of assets located in another state or foreign country;

(29) Retain and store such items of tangible personal property as the trustee selects and pay reasonable storage charges thereon from the trust estate;

(30) Issue proxies to any adult beneficiary of a trust for the purpose of voting stock of a corporation acting as the trustee of the trust;

(31) Place all or any part of the securities at any time held by the trustee in the care and custody of any bank, trust company, or member firm of the New York Stock Exchange with no obligation while the securities are so deposited to inspect or verify the same and with no responsibility for any loss or misapplication by the bank, trust company, or firm, so long as the bank, trust company, or firm was selected and retained with reasonable care, and have all stocks and registered securities placed in the name of the bank, trust company, or firm, or in the name of its nominee, and to appoint such bank, trust company, or firm agent as attorney to collect, receive, receipt for, and disburse any income, and generally may perform, but is under no requirement to perform, the duties and services incident to a so-called 'custodian' account;

(32) Determine at any time that the corpus of any trust is insufficient to implement the intent of the trust, and upon this determination by the trustee, terminate the trust by distribution of the trust to the current income beneficiary or beneficiaries of the trust or their legal representatives, except that this determination may only be made by the trustee if the trustee is neither the grantor nor the beneficiary of the trust, and if the trust has no charitable beneficiary;

(33) Rely with acquittance on advice of counsel on questions of law; and

(34) Continue to be a party to any existing voting trust agreement or enter into any new voting trust agreement or renew an existing voting trust agreement with respect to any assets contained in trust.

Sec. 51, Section 81, chapter 149, Laws of 1984 and RCW 11.98.080 are each reenacted and amended to read as follows:

(1) Two or more trusts may be consolidated if:

(a) The trusts so provide; or

(b) Whether provided in the trusts or not, in accordance with subsection (2) of this section, if all interested persons consent as provided in subsection (2)((c))~~(b)~~ of this section and the requirements of subsection (1)(d) of this section are satisfied; or

(c) Whether provided in the trusts or not, in accordance with subsection (3) of this section if the requirements of subsection (1)(d) of this section are satisfied;

(d) Consolidation under subsection (2) or (3) of this section is permitted only if:

(i) The dispositive provisions of each trust to be consolidated are substantially similar;

(ii) Consolidation is not inconsistent with the intent of the trustor with regard to any trust to be consolidated; and

(iii) Consolidation would facilitate administration of the trusts and would not materially impair the interests of the beneficiaries;

(e) Trusts may be consolidated whether created inter vivos or by will, by the same or different instruments, by the same or different trustors, whether the trustees are the same, and regardless of where the trusts were created or administered.

(2) The trustees of two or more trusts may consolidate the trusts on such terms and conditions as appropriate without court approval as provided in RCW 11.96.170.

(a) The trustee shall give written notice of proposed consolidation by personal service or by certified mail to the beneficiaries of every trust affected by the consolidation as provided in RCW 11.96.100 and 11.96.110 and to any trustee of such trusts who does not join in the notice. The notice shall: (i) State the name and mailing address of the trustee; (ii) include a copy of the governing instrument of each trust to be consolidated; (iii) include a statement of assets and liabilities of each trust to be consolidated, dated within ninety days of the notice; (iv) fully



describe the terms and manner of consolidation; and (v) state the reasons supporting the requirements of subsection (1)(d) of this section. The notice shall advise the recipient of the right to petition for a judicial determination of the proposed consolidation as provided in subsection (3) of this section. The notice shall include a form on which consent or objection to the proposed consolidation may be indicated.

(b) If the trustee receives written consent to the proposed consolidation from all persons entitled to notice as provided in RCW 11.96.100 and 11.96.110, the trustee may consolidate the trusts as provided in the notice. Any person dealing with the trustee of the resulting consolidated trust is entitled to rely on the authority of that trustee to act and is not obliged to inquire into the validity or propriety of the consolidation under this section.

(3)(a) Any trustee, beneficiary, or special representative may petition the superior court of the county in which the principal place of administration of a trust is located for an order consolidating two or more trusts under chapter 11.96 RCW. If nonjudicial consolidation has been commenced pursuant to subsection (2) of this section, a petition may be filed under this section unless the trustee has received all necessary consents. The principal place of administration of the trust is the trustee's usual place of business where the records pertaining to the trust are kept, or the trustee's residence if the trustee has no such place of business.

(b) At the conclusion of the hearing, if the court finds that the requirements of subsection (1)(d) of this section have been satisfied, it may direct consolidation of two or more trusts on such terms and conditions as appropriate. The court in its discretion may provide for payment from one or more of the trusts of reasonable fees and expenses for any party to the proceeding.

(4) This section applies to all trusts whenever created.

Sec. 52. Section 8, chapter 124, Laws of 1959 as amended by section 83, chapter 149, Laws of 1984 and RCW 11.98.090 are each reenacted to read as follows:

In the absence of knowledge of a breach of trust, no party dealing with a trustee is required to see to the application of any moneys or other properties delivered to the trustee.

Sec. 53. Section 9, chapter 124, Laws of 1959 as amended by section 84, chapter 149, Laws of 1984 and RCW 11.98.100 are each reenacted to read as follows:

When the happening of any event, including but not limited to such events as marriage, divorce, performance of educational requirements, or death, affects the administration or distribution of the trust, then a trustee who has exercised reasonable care to ascertain the happening of the event is not liable for any action or inaction based on lack of knowledge of the event. A corporate trustee is not liable prior to receiving such knowledge or notice in its trust department office where the trust is being administered.

Sec. 54. Section 10, chapter 124, Laws of 1959 as last amended by section 85, chapter 149, Laws of 1984 and RCW 11.98.110 are each reenacted and amended to read as follows:

As used in this section, a trust includes a probate estate, and a trustee includes a personal representative. The words 'trustee' and 'as trustee' mean 'personal representative' and 'as personal representative' where this section is being construed in regard to personal representatives.

Actions on contracts which have been transferred to a trust and on contracts made by a trustee, and actions in tort for personal liability incurred by a trustee in the course of administration may be maintained by the party in whose favor the cause of action has accrued as follows:

(1) The plaintiff may sue the trustee in the trustee's representative capacity and any judgment rendered in favor of the plaintiff is collectible by execution out of the trust property: PROVIDED, HOWEVER, if the action is in tort, collection shall not be had from the trust property unless the court determines in the action that (a) the tort was a common incident of the kind of business activity in which the trustee or the trustee's predecessor was properly engaged for the trust; or (b) that, although the tort was not a common incident of such activity, neither the trustee nor the trustee's predecessor, nor any officer or employee of the trustee or the trustee's predecessor, was guilty of personal fault in incurring the liability; or (c) that, although the tort did not fall within classes (a) or (b) above, it increased the value of the trust property. If the tort is within classes (a) or (b) above, collection may be had of the full amount of damage proved, and if the tort is within class (c) above, collection may be had only to the extent of the increase in the value of the trust property.

(2) If the action is on a contract made by the trustee, the trustee may be held personally liable on the contract, if personal liability is not excluded. Either the addition by the trustee of the words 'trustee' or 'as trustee' after the signature of a trustee to a contract or the transaction of business as trustee under an assumed name in compliance with chapter 19.80 RCW excludes the trustee from personal liability. If the action is on a contract transferred to the trust or trustee, subject to any rights therein vested at time of the transfer, the trustee is personally liable only if he or she has in writing assumed that liability.

(3) In any such action against the trustee in the trustee's representative capacity the plaintiff need not prove that the trustee could have secured reimbursement from the trust fund if the trustee had paid the plaintiff's claim.

(4) The trustee may also be held personally liable for any tort committed by him or her, or by his or her agents or employees in the course of their employments, subject to the rights of exoneration or reimbursement:

(a) A trustee who has incurred personal liability for a tort committed in the administration of the trust is entitled to exoneration therefor from the trust property if (i) the tort was a common incident of the kind of business activity in which the trustee was properly engaged for the trust, or (ii) although the tort was not a common incident of such activity, if neither the trustee nor any officer or employee of the trustee was guilty of personal fault in incurring the liability;

(b) A trustee who commits a tort which increases the value of the trust property is entitled to exoneration or reimbursement with respect thereto to the extent of such increase in value, even though the trustee would not otherwise be entitled to exoneration or reimbursement.

(5) The procedure for all actions provided in this section is as provided in chapter 11.96 RCW.

(6) Nothing in this section shall be construed to change the existing law with regard to the liability of the trustee of a charitable trust for the torts of the trustee.

Sec. 55. Section 11.98.010, chapter 145, Laws of 1965 as amended by section 87, chapter 149, Laws of 1984 and RCW 11.98.130 are each reenacted to read as follows:

If any provision of an instrument creating a trust, including the provisions of any further trust created, or any other disposition of property made pursuant to exercise of a power of appointment granted in or created through authority under such instrument violates the rule against perpetuities, neither such provision nor any other provisions of the trust, or such further trust or other disposition, is thereby rendered invalid during any of the following periods:

(1) The twenty-one years following the effective date of the instrument.

(2) The period measured by any life or lives in being or conceived at the effective date of the instrument if by the terms of the instrument the trust is to continue for such life or lives.

(3) The period measured by any portion of any life or lives in being or conceived at the effective date of the instrument if by the terms of the instrument the trust is to continue for such portion of such life or lives; and

(4) The twenty-one years following the expiration of the periods specified in (2) and (3) above.

Sec. 56. Section 11.98.020, chapter 145, Laws of 1965 as amended by section 88, chapter 149, Laws of 1984 and RCW 11.98.140 are each reenacted to read as follows:

If, during any period in which an instrument creating a trust, as described in RCW 11.98.130, or any provision thereof, is not to be rendered invalid by the rule against perpetuities, any of the trust assets should by the terms of the instrument or pursuant to any further trust or other disposition resulting from exercise of the power of appointment granted in or created through authority under such instrument, become distributable or any beneficial interest in any of the trust assets should by the terms of the instrument, or such further trust or other disposition become vested, such assets shall be distributed and such beneficial interest shall validly vest in accordance with the instrument, or such further trust or other disposition.

Sec. 57. Section 11.98.030, chapter 145, Laws of 1965 as amended by section 89, chapter 149, Laws of 1984 and RCW 11.98.150 are each reenacted to read as follows:

If, at the expiration of any period in which an instrument creating a trust, as described in RCW 11.98.009, or any provision thereof, is not to be rendered invalid by the rule against perpetuities, any of the trust assets have not by the terms of the trust instrument become distributable or vested, then the assets shall be distributed as the superior court having jurisdiction directs, giving effect to the general intent of the creator of the trust or person exercising a power of appointment in the case of any further trust or other disposition of property made pursuant to the exercise of a power of appointment.

Sec. 58. Section 11.98.040, chapter 145, Laws of 1965 as amended by section 90, chapter 149, Laws of 1984 and RCW 11.98.160 are each reenacted to read as follows:

For the purposes of this chapter the effective date of an instrument purporting to create an irrevocable inter vivos trust is the date on which it is executed by the trustor, and the effective date of an instrument purporting to create either a revocable inter vivos trust or a testamentary trust is the date of the trustor's or testator's death.

Sec. 59. Section 91, chapter 149, Laws of 1984 and RCW 11.98.170 are each reenacted to read as follows:

(1) Any life insurance policy or retirement plan payment provision may designate as beneficiary:

(a) A trustee named or to be named by will, and immediately after the proving of the will, the proceeds of such insurance or of such plan designated as payable to that trustee, in part or in whole, shall be paid to the trustee in accordance with the beneficiary designation, to be held and disposed of under the terms of the will governing the testamentary trust; or

(b) A trustee named or to be named under a trust agreement executed by the insured, the plan participant, or any other person, and the proceeds of such insurance or retirement plan designated as payable to such trustee, in part or in whole, shall be paid to the trustee in accordance with the beneficiary designation, to be held and disposed of by the trustee as provided in such trust agreement; a trust is valid even if the only corpus consists of the right of

the trustee to receive as beneficiary insurance or retirement plan proceeds; any such trustee may also receive assets, other than insurance or retirement plan proceeds, by testamentary disposition or otherwise and, unless directed otherwise by the transferor of the assets, shall administer all property of the trust according to the terms of the trust agreement.

(2) If no qualified trustee makes claim to the insurance policy or retirement plan proceeds from the insurance company or the plan administrator within twelve months after the death of the insured or plan participant, determination of the proper recipient of the proceeds shall be made pursuant to the judicial or nonjudicial dispute resolution procedures of chapter 11.96 RCW, unless prior to the institution of the judicial procedures, a qualified trustee makes claim to the proceeds, except that (a) if satisfactory evidence is furnished the insurance company or plan administrator within the twelve-month period showing that no trustee can or will qualify to receive such proceeds, payment shall be made to those otherwise entitled to the proceeds under the terms of the policy or retirement plan, including the terms of the beneficiary designation except that (b) if there is any dispute as to the proper recipient of insurance policy or retirement plan proceeds, the dispute shall be resolved pursuant to the judicial or nonjudicial resolution procedures in chapter 11.96 RCW.

(3) The proceeds of the insurance or retirement plan as collected by the trustee are not subject to debts of the insured or the plan participant to any greater extent than if the proceeds were payable to any named beneficiary other than the personal representative or the estate of the insured or of the plan participant.

(4) For purposes of this section the following definitions apply:

(a) 'Plan administrator' means the person upon whom claim must be made in order for retirement plan proceeds to be paid upon the death of the plan participant.

(b) 'Retirement plan' means any plan, account, deposit, annuity, or benefit, other than a life insurance policy, that provides for payment to a beneficiary designated by the plan participant for whom the plan is established. The term includes, without limitation, such plans regardless of source of funding, and, for example, includes pensions, annuities, stock bonus plans, employee stock ownership plans, profit sharing plans, self-employed retirement plans, individual retirement accounts, individual retirement annuities, and retirement bonds, as well as any other retirement plan or program.

(c) 'Trustee' includes any custodian under chapter 11.93 RCW or any similar statutory provisions of any other state and the terms 'trust agreement' and 'will' refer to the provisions of chapter 11.93 RCW or such similar statutory provisions of any other state.

(5) Enactment of this section does not invalidate life insurance policy or retirement plan beneficiary designations executed prior to January 1, 1985, naming a trustee established by will or by trust agreement.

Sec. 60. Section 11.98.050, chapter 145, Laws of 1965 as last amended by section 93, chapter 149, Laws of 1984 and RCW 11.98.900 are each reenacted and amended to read as follows:

The provisions of (~~this chapter~~) RCW 11.98.130 through 11.98.160 are applicable to any instrument purporting to create a trust regardless of the date such instrument bears, unless it has been previously adjudicated in the courts of this state.

Sec. 61. Section 11, chapter 124, Laws of 1959 and RCW 11.98.910 are each reenacted to read as follows:

If any provision of this chapter or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions or applications of the chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are declared to be severable.

Sec. 62. Section 12, chapter 124, Laws of 1959 and RCW 11.98.920 are each reenacted to read as follows:

This act shall be known as the 'Washington Trust Act.'

Sec. 63. Section 30.24.010, chapter 33, Laws of 1955 and RCW 11.100.010 are each reenacted to read as follows:

Any corporation, association, or person handling or investing trust funds as a fiduciary shall be governed in the handling and investment of such funds as in this chapter specified.

Sec. 64. Section 30.24.015, chapter 33, Laws of 1955 and RCW 11.100.015 are each reenacted to read as follows:

In addition to other fiduciaries, a guardian of any estate is a fiduciary within the meaning of this chapter; and in addition to other trusts, a guardianship of any estate is a trust within the meaning of this chapter; and in addition to other trust funds, guardianship funds are trust funds within the meaning of this chapter.

Sec. 65. Section 30.24.020, chapter 33, Laws of 1955 as amended by section 97, chapter 149, Laws of 1984 and RCW 11.100.020 are each reenacted to read as follows:

(1) A fiduciary is authorized to acquire and retain every kind of property. In acquiring, investing, reinvesting, exchanging, selling and managing property for the benefit of another, a fiduciary, in determining the prudence of a particular investment, shall give due consideration to the role that the proposed investment or investment course of action plays within the overall

portfolio of assets. In applying such total asset management approach, a fiduciary shall exercise the judgment and care under the circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not in regard to speculation but in regard to the permanent disposition of their funds, and if the fiduciary has special skills or is named trustee on the basis of representations of special skills or expertise, the fiduciary is under a duty to use those skills.

(2) Except as may be provided to the contrary in the instrument, the following are among the factors that should be considered by a fiduciary in applying this total asset management approach:

- (a) The probable income as well as the probable safety of their capital;
- (b) Marketability of investments;
- (c) Length of the term of the investments;
- (d) Duration of the trust;
- (e) Liquidity needs;
- (f) Requirements of the beneficiary or beneficiaries;
- (g) Other assets of the beneficiary or beneficiaries, including earning capacity; and
- (h) Effect of investments in increasing or diminishing liability for taxes.

Within the limitations of the foregoing standard, and subject to any express provisions or limitations contained in any particular trust instrument, a fiduciary is authorized to acquire and retain every kind of property, real, personal, or mixed, and every kind of investment specifically including but not by way of limitation, debentures and other corporate obligations, and stocks, preferred or common, which persons of prudence, discretion, and intelligence acquire for their own account.

Sec. 66. Section 98, chapter 149, Laws of 1984 and RCW 11.100.023 are each reenacted and amended to read as follows:

Subject to the standards of RCW 11.100.020, a fiduciary is authorized to invest in new, unproven, untried, or other enterprises with a potential for significant growth whether producing a current return, either by investing directly therein or by investing as a limited partner or otherwise in one or more commingled funds which in turn invest primarily in such enterprises. The aggregate amount of investments ~~((made))~~ held by a fiduciary under the authority of this section valued at cost shall not exceed ten percent of the net fair market value of the trust corpus ~~((at the time)), including investments made under the authority of this section valued at fair market value, immediately after~~ any such investment is made. Any investment which would have been authorized by this section if in force at the time the investment was made is hereby authorized.

Sec. 67. Section 99, chapter 149, Laws of 1984 and RCW 11.100.025 are each reenacted and amended to read as follows:

Notwithstanding RCW 11.98.070(2)(a), 11.100.060, or any other statutory provisions to the contrary, with respect to trusts which require by their own terms or by operation of law that all income be paid at least annually to the spouse of the trust's creator, which do not provide that on the termination of the income interest that the entire then remaining trust estate be paid to the estate of the spouse of the trust's creator, and for which a federal estate or gift tax marital deduction is ((taken)) claimed, any investment in or retention of unproductive property is subject to a power in the spouse of the trust's creator to require either that any such asset be made productive, or that it be converted to productive assets within a reasonable period of time unless the instrument creating the interest provides otherwise.

Sec. 68. Section 30.24.030, chapter 33, Laws of 1955 as last amended by section 101, chapter 149, Laws of 1984 and RCW 11.100.030 are each reenacted to read as follows:

A corporation doing a trust business may invest trust funds in savings accounts with itself to the extent that deposits are insured by an agency of the federal government. Additional trust funds may be so invested by the corporation only if it first sets aside under the control of its trust department as collateral security:

- (1) Direct obligations of the United States or other obligations fully guaranteed by the United States as to principal and interest; or
- (2) Bonds or other obligations which constitute general obligations of any state of the United States or municipal subdivision thereof.

The securities so deposited or securities substituted therefor as collateral shall at all times be at least equal in market value to the amount of the funds so deposited.

Sec. 69. Section 30.24.035, chapter 33, Laws of 1955 and RCW 11.100.035 are each reenacted to read as follows:

Within the standards of judgment and care established by law, and subject to any express provisions or limitations contained in any particular trust instrument, guardians, trustees and other fiduciaries, whether individual or corporate, are authorized to acquire and retain securities of any open-end or closed-end management type investment company or investment trust registered under the federal investment company act of 1940 as now or hereafter amended.

Sec. 70. Section 4, chapter 133, Laws of 1967 as amended by section 104, chapter 149, Laws of 1984 and RCW 11.100.037 are each reenacted to read as follows:

Funds held by a bank or trust company in a fiduciary capacity awaiting investment or distribution shall not be held uninvested or undistributed any longer than is reasonable for the proper management of the account. These funds, including managing agency accounts, may, unless prohibited by the instrument creating the trust or by other statutes of this state, be deposited in the commercial or savings or other department of the bank or trust company, only if the bank or trust company first sets aside under control of the trust department as collateral security:

(1) Direct obligations of the United States or other obligations fully guaranteed by the United States as to principal and interest; or

(2) Bonds or other obligations which constitute general obligations of any state of the United States or municipal subdivision thereof.

The securities so deposited or securities substituted therefor as collateral shall at all times be at least equal in market value to the amount of the funds so deposited, but such security shall not be required to the extent that the funds so deposited are insured by an agency of the federal government.

Sec. 71. Section 30.24.040, chapter 33, Laws of 1955 and RCW 11.100.040 are each reenacted to read as follows:

Nothing contained in this chapter shall be construed as restricting the power of a court of proper jurisdiction to permit a fiduciary to deviate from the terms of any will, agreement, or other instrument relating to the acquisition, investment, reinvestment, exchange, retention, sale, or management of fiduciary property.

Sec. 72. Section 30.24.050, chapter 33, Laws of 1955 as amended by section 107, chapter 149, Laws of 1984 and RCW 11.100.050 are each reenacted to read as follows:

The provisions of this chapter govern fiduciaries acting under wills, agreements, court orders, and other instruments effective before or after January 1, 1985.

Sec. 73. Section 108, chapter 149, Laws of 1984 and RCW 11.100.060 are each reenacted and amended to read as follows:

((Any fiduciary may hold during the life of the trust all securities or other property, real or personal, received into or acquired by the trust from any source, except such as are purchased by the fiduciary in administering the trust, unless there are express provisions to the contrary in the instrument)) Subject to express provisions to the contrary in the trust instrument, any fiduciary may hold and retain any real or personal property received into or acquired by the trust from any source. Except as to trust property acquired for consideration, a fiduciary may hold and retain any such property without need for diversification as to kinds or amount and whether or not the property is income producing.

Any fiduciary may invest funds held in trust under an instrument creating the trust in any manner and in any investment or in any class of investments authorized by the instrument.

The investments described in this section are permissible even though the securities or other property are not permitted under other provisions of this chapter, and even though the securities may be securities issued by the corporation that is the fiduciary.

A fiduciary is not liable for any loss incurred with respect to any investment held under the authority of or pursuant to this section if that investment was permitted when received or when the investment was made by the fiduciary, and if the fiduciary exercises due care and prudence in the disposition or retention of any such investment.

Sec. 74. Section 30.24.070, chapter 33, Laws of 1955 as amended by section 110, chapter 149, Laws of 1984 and RCW 11.100.070 are each reenacted to read as follows:

The terms 'legal investment' or 'authorized investment' or words of similar import, as used in any such instrument, shall be taken to mean any investment which is permitted by the terms of RCW 11.100.020.

Sec. 75. Section 30.24.090, chapter 33, Laws of 1955 as amended by section 111, chapter 149, Laws of 1984 and RCW 11.100.090 are each reenacted to read as follows:

Unless the instrument creating the trust expressly provides to the contrary, any fiduciary in carrying out the obligations of the trust, may not buy or sell investments from or to himself, herself, or itself or any affiliated or subsidiary company or association. This section shall not be construed as prohibiting the trustee's powers under RCW 11.98.070(12).

Sec. 76. Section 1, chapter 89, Laws of 1973 1st ex. sess. as amended by section 112, chapter 149, Laws of 1984 and RCW 11.100.120 are each reenacted to read as follows:

Subject to the standards of RCW 11.100.020, a fiduciary is authorized to use trust funds to acquire life insurance upon the life of any beneficiary or upon the life of another in whose life such beneficiary has an insurable interest.

Sec. 77. Section 2, chapter 89, Laws of 1973 1st ex. sess. and RCW 11.100.130 are each reenacted to read as follows:

Whenever power or authority to direct or control the acts of a trustee or the investments of a trust is conferred directly or indirectly upon any person other than the designated trustee of the trust, such person shall be deemed to be a fiduciary and shall be liable to the beneficiaries of said trust and to the designated trustee to the same extent as if he were a designated trustee in relation to the exercise or nonexercise of such power or authority.

Sec. 78. Section 114, chapter 149, Laws of 1984 and RCW 11.100.140 are each reenacted to read as follows:

(1) A trustee shall not enter into a significant nonroutine transaction in the absence of a compelling circumstance without:

(a) Providing the written notice called for by subsection (4) of this section; and

(b) If the significant nonroutine transaction is of the type described in subsection (2)(a) of this section, obtaining an independent appraisal, or selling in an open-market transaction.

(2) A 'significant nonroutine transaction' for the purpose of this section is defined as any of the following:

(a) Any sale, option, lease, or other agreement, binding for a period of ten years or more, dealing with any interest in real estate other than real estate purchased by the trustee or a vendor's interest in a real estate contract, the value of which constitutes twenty-five percent or more of the net fair market value of trust principal at the time of the transaction; or

(b) The sale of any item or items of tangible personal property, including a sale of precious metals or investment gems other than precious metals or investment gems purchased by the trustee, the value of which constitutes twenty-five percent or more of the net fair market value of trust principal at the time of the transaction; or

(c) The sale of shares of stock in a corporation whose stock is not traded on the open market, if the stock in question constitutes more than twenty-five percent of the corporation's outstanding shares; or

(d) The sale of shares of stock in any corporation where the stock to be sold constitutes a controlling interest, or would cause the trust to no longer own a controlling interest, in the corporation.

(3) A 'compelling circumstance' for the purpose of this section is defined as a condition, fact, or event that the trustee believes necessitates action without compliance with this section in order to avoid immediate and significant detriment to the trust. If faced with a compelling circumstance, the trustee shall give the notice called for in subsection (4) of this section and may thereafter enter into the significant nonroutine transaction without waiting for the expiration of the twenty-day period.

(4) The written notice required by this section shall set forth such material facts as necessary to advise properly the recipient of the notice of the nature and terms of the intended transaction. This notice shall be given to the trustor, if living, to each person who is eighteen years or older and to whom income is presently payable or for whom income is presently being accumulated for distribution as income and for whom an address is known to the trustee, and to the attorney general if the trust is a charitable trust under RCW 11.110.020. The notice shall be mailed by United States certified mail, postage prepaid, return receipt requested, to the recipient's last-known address, or may be personally served, at least twenty days prior to the trustee entering into any binding agreements.

(5) The trustor, if living, or persons entitled to notice under this section may, by written instrument, waive any requirement imposed by this section.

(6) Except as required by this section for nonroutine transactions defined in subsection (2) of this section, a trustee shall not be required to notify beneficiaries of a trust of the trustee's intended action, to obtain an independent appraisal, or to sell in an open-market transaction.

(7) Any person dealing with a trustee may rely upon the trustee's written statement that the requirements of this section have been met for a particular transaction. If a trustee gives such a statement, the transaction shall be final unless the party relying on the statement has actual knowledge that the requirements of this section have not been met.

(8) The requirements of this section, and any similar requirements imposed by prior case law, shall not apply to personal representatives or to those trusts excluded from the definition of express trusts under RCW 11.98.009.

Sec. 79. Section 30.28.010, chapter 33, Laws of 1955 as amended by section 1, chapter 105, Laws of 1979 and RCW 11.102.010 are each reenacted to read as follows:

Any bank or trust company qualified to act as fiduciary in this state, or in any other state if affiliated with a bank or trust company qualified to act as fiduciary in this state, may establish common trust funds for the purpose of furnishing investments to itself and its affiliated or related bank or trust company as fiduciary, or to itself and its affiliated or related bank or trust company, and others, as cotrustees; and may, as such fiduciary or cotrustee, invest funds which it lawfully holds for investment in interests in such common trust funds, if such investment is not prohibited by the instrument, judgment, decree, or order creating such fiduciary relationship, and if, in the case of cotrustees, the bank or trust company procures the consent of its cotrustee or cotrustees to such investment: PROVIDED, That any bank or trust company qualified to act as fiduciary in the state of its charter, which is not a member of the federal reserve system, shall, in the operation of such common trust fund, comply with the rules and regulations as made from time to time by the supervisor of banking in the state where chartered and in Washington the supervisor is hereby authorized and empowered to make such rules and regulations as he may deem necessary and proper in the premises.

'Affiliated' as used in this section means two or more banks or trust companies:

(1) In which twenty-five percent or more of their voting shares, excluding shares owned by the United States or by any company wholly owned by the United States, are directly or indirectly owned or controlled by a holding company; or

(2) In which the election of a majority of the directors is controlled in any manner by a holding company.

Sec. 80. Section 30.28.020, chapter 33, Laws of 1955 and RCW 11.102.020 are each reenacted to read as follows:

Unless ordered by a court of competent jurisdiction the bank or trust company operating such common trust funds is not required to render a court accounting with regard to such funds; but it may, by application to the superior court, secure approval of such an accounting on such conditions as the court may establish.

Sec. 81. Section 30.28.030, chapter 33, Laws of 1955 and RCW 11.102.030 are each reenacted to read as follows:

This chapter shall apply to fiduciary relationships in existence on June 11, 1943, or thereafter established.

Sec. 82. Section 30.28.040, chapter 33, Laws of 1955 and RCW 11.102.040 are each reenacted to read as follows:

This chapter shall be so interpreted and construed to effectuate its general purpose to make uniform the laws of those states which enact it.

Sec. 83. Section 30.28.050, chapter 33, Laws of 1955 and RCW 11.102.050 are each reenacted to read as follows:

This chapter may be cited as the uniform common trust fund act.

Sec. 84. Section 1, chapter 74, Laws of 1971 as amended by section 116, chapter 149, Laws of 1984 and RCW 11.104.010 are each reenacted to read as follows:

As used in this chapter:

(1) 'Income beneficiary' means the person to whom income is presently payable or for whom it is accumulated for distribution as income;

(2) 'Inventory value' means the cost of property purchased by the trustee and the cost or adjusted basis for federal income tax purposes of other property at the time it became subject to the trust, but in the case of a trust asset that is included on any death tax return the trustee may, but need not, use the value finally determined for the purposes of the federal estate tax if applicable, otherwise for another estate or inheritance tax;

(3) 'Remainderman' means the person entitled to principal, including income which has been accumulated and added to principal.

Sec. 85. Section 2, chapter 74, Laws of 1971 as amended by section 117, chapter 149, Laws of 1984 and RCW 11.104.020 are each reenacted to read as follows:

(1) A trust shall be administered with due regard to the respective interests of income beneficiaries and remaindermen. A trust is so administered with respect to the allocation of receipts and expenditures if a receipt is credited or an expenditure is charged to income or principal or partly to each:

(a) In accordance with the terms of the trust instrument, notwithstanding contrary provisions of this chapter;

(b) In the absence of any contrary terms of the trust instrument, in accordance with the provisions of this chapter; or

(c) If neither of the preceding rules of administration is applicable, in accordance with what is reasonable and equitable in view of the interests of those entitled to income as well as of those entitled to principal, and in view of the manner in which persons of prudence, discretion, and intelligence would act in the management of their own affairs.

(2) If the trust instrument gives the trustee discretion in crediting a receipt or charging an expenditure to income or principal or partly to each, no inference of imprudence or partiality arises from the fact that the trustee has made an allocation consistent with the instrument but that is contrary to a provision of this chapter.

Sec. 86. Section 3, chapter 74, Laws of 1971 as amended by section 118, chapter 149, Laws of 1984 and RCW 11.104.030 are each reenacted to read as follows:

(1) Income is the return in money or property derived from the use of principal, including:

(a) Rent of real or personal property, including sums received for cancellation or renewal of a lease;

(b) Interest on money lent, including sums received as consideration for the privilege of prepayment of principal except as provided in RCW 11.104.070 on bond premiums and bond discounts;

(c) Income earned during administration of a decedent's estate as provided in RCW 11.104.050;

(d) Corporate distributions as provided in RCW 11.104.060;

(e) Increment in value on bonds or other obligations issued at a discount as provided in RCW 11.104.070;

(f) Receipts from business and farming operations as provided in RCW 11.104.080;

(g) Receipts from disposition of natural resources as provided in RCW 11.104.090 and 11.104.100;

(h) Receipts from other principal subject to depletion as provided in RCW 11.104.110; and

(i) Receipts from disposition of underproductive property as provided in RCW 11.104.120.

(2) Principal is the property which has been set aside by the owner or the person legally empowered so that it is held in trust eventually to be delivered to a remainderman while the return on or use of the principal is in the meantime taken or received by or held for accumulation for an income beneficiary. Principal includes:

(a) Consideration received by the trustee on the sale or other transfer of principal or on repayment of a loan or as a refund or replacement or change in the form of principal;

(b) Proceeds of property taken on eminent domain proceedings;

(c) Proceeds of insurance upon property forming part of the principal except proceeds of insurance upon a separate interest of an income beneficiary;

(d) Stock dividends, receipts on liquidation of a corporation, and other corporate distributions as provided in RCW 11.104.060;

(e) Receipts from the disposition of corporate securities, bonds, or other obligations for the payment of money as provided in RCW 11.104.070;

(f) Royalties and other receipts from disposition of natural resources as provided in RCW 11.104.090 and 11.104.100;

(g) Receipts from other principal subject to depletion as provided in RCW 11.104.110;

(h) Any profit resulting from any change in the form of principal except as provided in RCW 11.104.120 on underproductive property;

(i) Receipts from disposition of underproductive property as provided in RCW 11.104.120; and

(j) Any allowances for depreciation established under RCW 11.104.080 and 11.104.130(1)(b).

(3) After determining income and principal in accordance with the terms of the trust instrument or of this chapter, the trustee shall charge to income or principal expenses and other charges as provided in RCW 11.104.130.

Sec. 87. Section 4, chapter 74, Laws of 1971 as amended by section 119, chapter 149, Laws of 1984 and RCW 11.104.040 are each reenacted and amended to read as follows:

(1) An income beneficiary is entitled to income from the date specified in the trust instrument, or, if none is specified, from the date an asset becomes subject to the trust. In the case of an asset becoming subject to a trust by reason of a will, it becomes subject to the trust as of the date of the death of the testator even though there is an intervening period of administration of the testator's estate.

(2) Subject to subsection (2) (a) and (b) of this section, in the administration of a decedent's estate or of an asset becoming subject to a trust by reason of a will all receipts paid on or before the date of death of the testator are principal and all receipts paid after that date are income.

(a) Notwithstanding the foregoing, receipts due but not paid on or before the date of death of the testator are principal; and

(b) Receipts in the form of periodic payments (other than corporate distributions to stockholders), including rent, interest, or annuities, not due on or before the date of the death of the testator shall be treated as accruing from day to day. That portion of the receipt accruing before the date of death is principal, and the balance is income.

(3) In all other cases, any receipt from an income producing asset is income even though the receipt was earned or accrued in whole or in part before the date when the asset became subject to the trust.

(4) On the termination of an income beneficiary's income interest, if such interest was not subject to any discretion to withhold, accumulate, or distribute income to or for any other beneficiary, then income on hand but undistributed belongs to that income beneficiary or that beneficiary's estate, except that if the income beneficiary is the surviving spouse of the testator or grantor of the trust and the income interest otherwise qualifies for the marital deduction on any federal estate or gift tax return, then all accrued but undistributed income is subject to a testamentary general power of appointment in the surviving spouse, exercisable ((by will by specifically referring to this statute)) as provided in RCW 11.95.060 by specific reference to this statutory provision, to appoint the same to ((the testator or grantor or)) himself or herself, or to his or her estate. All undistributed income not disposed of under the foregoing provisions of this subsection shall be held and distributed as part of the next eventual interest or estate in accordance with the provisions of the will or trust relating to such next eventual interest or estate.

(5) Corporate distributions to stockholders shall be treated as due on the date fixed by the corporation for determination of stockholders of record entitled to distribution, or if no date is fixed, on the date of declaration of the distribution by the corporation.

Sec. 88. Section 5, chapter 74, Laws of 1971 as amended by section 120, chapter 149, Laws of 1984 and RCW 11.104.050 are each reenacted and amended to read as follows:

(1) Unless the will or the court otherwise provides and subject to subsection (2) of this section, all expenses incurred in connection with the settlement of a decedent's estate, including debts, funeral expenses, estate taxes, interest due at death, and penalties concerning taxes, family allowances, fees of attorneys and personal representatives, and court costs shall be



charged against the principal of the estate, except that the principal shall be reimbursed from income for any increase in estate taxes due to the use of administration expenses that were paid from principal as deductions for income tax purposes.

(2) Unless the will or the court otherwise provides, income from the assets of a decedent's estate after the death of the testator and before distribution, including income from property used to discharge liabilities, shall be determined in accordance with the rules applicable to a trust under this chapter and distributed as follows:

(a) To beneficiaries of any specific bequest, legacy, or devise, the income from the property bequeathed or devised to them respectively, less taxes, ordinary repairs, and other expenses of management and operation of the property, and appropriate portions of interest accrued since the death of the testator and of taxes imposed on income (excluding taxes on capital gains) which accrue during the period of administration;

(b) Subject to (c) of this subsection, to all other beneficiaries, including trusts, the balance of the income less the balance of taxes, ordinary repairs, and other expenses of management and operation of all property from which the estate is entitled to income, plus the balance of all income accrued since the death of the testator, and less the balance of all taxes imposed on income (excluding taxes on capital gains) which accrue during the period of administration, in proportion to their respective interests in the undistributed assets of the estate computed at times of distribution on the basis of the fair value, provided, that the amount of income earned before the date or dates of payment of any estate or inheritance tax shall be distributed to those beneficiaries in proportion to their interests immediately before the making of those payments; and

(c) Pecuniary bequests not in trust do not receive income, and, subject to the provisions of RCW 11.56.160, all such bequests, including those to the decedent's surviving spouse, are not allocated any share of the expenses identified in subsection (2)(b) of this section.

(3) Any income with respect to which the income taxes have been paid which is payable in whole or in part to one or more charitable or other tax exempt ((organization(s))) organizations, and for which an income tax charitable deduction was allowable, shall be allocated among the distributees in such manner that the diminution in such taxes resulting from the charitable deduction allowable will inure to the benefit of the charitable or tax exempt organization giving rise to the deduction.

(4) Income received by a trustee under subsection (2) of this section shall be treated as income of the trust.

Sec. 89. Section 6, chapter 74, Laws of 1971 as amended by section 121, chapter 149, Laws of 1984 and RCW 11.104.060 are each reenacted to read as follows:

(1) Corporate distributions of shares of the distributing corporation, including distributions in the form of a stock split or stock dividend, are principal. A right to subscribe to shares or other securities issued by the distributing corporation accruing to stockholders on account of their stock ownership and the proceeds of any sale of the right are principal.

(2) Except to the extent that the corporation indicates that some part of a corporate distribution is a settlement of preferred or guaranteed dividends accrued since the stock became a part of the trust corpus or is in lieu of an ordinary cash dividend, a corporate distribution is principal if the distribution is pursuant to:

(a) A call of shares;

(b) A merger, consolidation, reorganization, or other plan by which assets of the corporation are acquired by another corporation; or

(c) A total or partial liquidation of the corporation, including any distribution which the corporation indicates is a distribution in total or partial liquidation or any distribution of assets, other than cash, pursuant to a court decree or final administrative order by a government agency ordering distribution of the particular assets.

(3) Distributions made from ordinary income by a regulated investment company or by a trust qualifying and electing to be taxed under federal law as a real estate investment trust are income. All other distributions made by the company or trust, including distributions from capital gains, depreciation, or depletion, whether in the form of cash or an option to take new stock or cash or an option to purchase additional shares, are principal.

(4) Except as provided in subsections (1), (2), and (3) of this section all corporate distributions are income, including cash dividends, distributions of or rights to subscribe to shares or securities or obligations of corporations other than the distributing corporation, and the proceeds of the rights or property distributions. Except as provided in subsections (2) and (3) of this section, if the distributing corporation gives a stockholder an option to receive a distribution either in cash or in its own shares, the distribution chosen is income.

(5) The trustee may rely upon any statement of the distributing corporation as to any fact relevant under any provision of this chapter concerning the source or character of dividends or distributions of corporate assets.

Sec. 90. Section 7, chapter 74, Laws of 1971 as amended by section 122, chapter 149, Laws of 1984 and RCW 11.104.070 are each reenacted to read as follows:

(1) Bonds or other obligations for the payment of money are principal at their inventory value, except as provided in subsection (2) for discount bonds. The trustee shall not provide for

amortization of bond premiums or for accumulation of discount except where the trust instrument provides otherwise. If the instrument provides for amortization of premiums or accumulation of discount, but not both, and is silent as to one, it is the duty of the trustee to amortize premiums and accumulate discount. The proceeds of sale, redemption, or other disposition of the bonds or obligations are principal.

(2) The increment in value of a bond or other obligation for the payment of money bearing no fixed rate of interest or payable at a future time in accordance with a fixed schedule of appreciation in excess of the price at which it was issued is distributable as income. Except as otherwise provided in RCW 11.104.040(4), the increment in value is distributable to the beneficiary who was the income beneficiary at the time of increment from the first principal cash available or, if none is available, when realized by sale, redemption, or other disposition. Whenever unrealized increment is distributed as income but out of principal, the principal shall be reimbursed for the increment when realized.

Sec. 91. Section 8, chapter 74, Laws of 1971 as amended by section 123, chapter 149, Laws of 1984 and RCW 11.104.080 are each reenacted to read as follows:

If a trustee uses any part of the principal in the operation of a trade, business or farming operation, the proceeds and losses of the business shall be allocated in accordance with what is reasonable and equitable in view of the interest of those entitled to income as well as those entitled to principal, and in view of the manner in which persons of prudence, discretion, and intelligence would act in the management of their own affairs in accordance with RCW 11.104.020. The operation of real estate for rent is considered a business.

Sec. 92. Section 9, chapter 74, Laws of 1971 as amended by section 124, chapter 149, Laws of 1984 and RCW 11.104.090 are each reenacted to read as follows:

(1) If any part of the principal consists of a right to receive royalties, overriding or limited royalties, working interests, production payments, net profit interests, or other interests in minerals or other natural resources in, on or under land, the receipts from taking the natural resources from the land shall be allocated as follows:

(a) If received as rent on a lease or extension payments on a lease, the receipts are income;

(b) If received from a production payment, the receipts are income to the extent of any factor for interest or its equivalent provided in the governing instrument. There shall be allocated to principal the fraction of the balance of the receipts which the unrecovered cost of the production payment bears to the balance owed on the production payment exclusive of any factor for interest or its equivalent. The receipts not allocated to principal are income; and

(c) If received as a royalty, overriding or limited royalty, or bonus, or from a working, net profit, or any other interest in minerals or other natural resources, receipts not provided for in the preceding paragraphs of this section shall be apportioned on a yearly basis in accordance with this paragraph whether or not any natural resource was being taken from the land at the time the trust was established. Receipts shall be allocated to income or apportioned between income and principal at the discretion of the trustee, but in no event may principal be allocated more than that portion of the gross receipts that is deductible for federal income tax purposes during that year. The balance of the gross receipts, after payment therefrom of all expenses, direct and indirect, is income.

(2) If a trustee, on January 1, 1972, held an item of depletable property of a type specified in this section, the trustee shall allocate receipts from the property in the manner used before January 1, 1972, but as to all depletable property acquired after January 1, 1972 by an existing or new trust, the method of allocation provided herein shall be used.

(3) This section does not apply to timber, water, soil, sod, dirt, turf, or mosses.

Sec. 93. Section 12, chapter 74, Laws of 1971 as amended by section 125, chapter 149, Laws of 1984 and RCW 11.104.120 are each reenacted and amended to read as follows:

(1) Except as provided in subsection (5) of this section, a portion of the net proceeds of sale of any part of principal which is underproductive shall be treated as delayed income to which the income beneficiary is entitled as provided in this section. The net proceeds of sale are the gross proceeds received, including the value of any property received, less expenses, including any capital gains tax incurred in disposition, and less any carrying charges paid while the property was underproductive.

(2) The sum allocated as delayed income is the difference between the net proceeds and the amount which, had it been invested at simple interest at four percent per year while the property was underproductive, would have produced the net proceeds. This sum, plus any carrying charges and expenses previously charged against income while the property was underproductive, less any income received by the income beneficiary from the property and less the value of any use of the property by the income beneficiary, is income, and the balance is principal.

(3) Except as otherwise provided in RCW 11.104.040(4), an income beneficiary is entitled to delayed income under this section as if it accrued from day to day during the time he was a beneficiary.

(4) If principal subject to this section is disposed of by conversion into property which cannot be apportioned easily, including land or mortgages (for example, realty acquired by or in

lieu of foreclosure), the income beneficiary is entitled to the net income from any property or obligation into which the original principal is converted while the substituted property or obligation is held. If within five years after the conversion the substituted property has not been further converted into easily apportionable property, no allocation as provided in this section shall be made.

(5) This section does not apply to underproductive property that the trustee is authorized to retain by the terms of the controlling document or by law; that is received into or acquired by the trust from any source, except property which is purchased by the fiduciary in administering the trust((:)); the retention of which has been authorized in writing by the income beneficiaries((:)); or the retention of which would be considered proper under the standard set forth in RCW 11.100.020.

(6) As used in this section, the term 'underproductive property' refers to any property that has not produced an average net income of at least one percent per year (simple interest) of its inventory value for more than a year (including as income the value of any use of the property by the income beneficiary).

Sec. 94. Section 13, chapter 74, Laws of 1971 as amended by section 126, chapter 149, Laws of 1984 and RCW 11.104.130 are each reenacted and amended to read as follows:

(1) The following charges shall be made against income:

(a) Ordinary expenses incurred in connection with the administration, management, or preservation of the trust property, including regularly recurring taxes assessed against any portion of the principal, water rates, premiums on insurance taken upon the interests of the income beneficiary, remainderman, or trustee, interest paid by the trustee, and ordinary repairs;

(b) If the trustee deems the same to be appropriate under the standards in RCW 11.104.020(1)(c), a reasonable allowance for depreciation on property subject to depreciation under generally accepted accounting principles; no allowance shall be made for depreciation of that portion of any real property used by a beneficiary as a residence or for depreciation of any property held by the trustee on January 1, 1972 for which the trustee is not then making an allowance for depreciation;

(c) One-half of court costs, attorney's fees, and other fees on periodic accountings, unless the court directs otherwise;

(d) Court costs, attorney's fees, and other fees on other accountings or judicial proceedings if the matter primarily concerns the income interest, unless the court directs otherwise;

(e) One-half of the trustee's regular compensation, whether based on a percentage of principal or income( ~~and all expenses reasonably incurred for current management of principal and application of income~~);

(f) All expenses reasonably incurred for current management of principal and application of income; and

(g) Any tax levied upon receipts allocated to income under this chapter or the trust instrument and payable by the trustee.

(2) If charges against income are of unusual amount, the trustee may by means of reserves or other reasonable means charge them over a reasonable period of time and withhold from distribution sufficient sums to regularize distributions.

(3) The following charges shall be made against principal:

(a) Trustee's compensation not chargeable to income under subsections (1)(d) and (1)(e) of this section, special compensation of trustees, expenses reasonably incurred in connection with principal, court costs and attorney's fees primarily concerning matters of principal, and trustee's compensation computed on principal as an acceptance, distribution, or termination fee;

(b) Charges not provided for in subsection (1) of this section, including the cost of investing and reinvesting principal, the payments on principal of an indebtedness (including a mortgage amortized by periodic payments of principal), expenses for preparation of property for rental or sale, and, unless the court directs otherwise, expenses incurred in maintaining or defending any action to construe the trust or protect it or the property or assure the title of any trust property;

(c) Extraordinary repairs or expenses incurred in making a capital improvement to principal, including special assessments, but, a trustee may establish an allowance for depreciation out of income to the extent permitted by subsection (1)(b) of this section and by RCW 11.104.080;

(d) Any tax levied upon profit, gain, or other receipts allocated to principal notwithstanding denomination of the tax as an income tax by the tax authority; and

(e) If an estate or inheritance tax is levied in respect of a trust in which both an income beneficiary and a remainderman have an interest, any amount apportioned to the trust, including interest, whether on account of direct or indirect borrowing for the purpose of paying those taxes, and penalties, even though the income beneficiary also has rights in the principal.

(4) Regularly recurring charges payable from income shall be apportioned to the same extent and in the same manner that income is apportioned under RCW 11.104.040.

Sec. 95. Section 30.30.010, chapter 33, Laws of 1955 as amended by section 128, chapter 149, Laws of 1984 and RCW 11.106.010 are each reenacted to read as follows:

This chapter does not apply to resulting trusts, constructive trusts, business trusts where certificates of beneficial interest are issued to the beneficiaries, investment trusts, voting trusts, insurance trusts prior to the death of the insured, trusts in the nature of mortgages or pledges, trusts created by judgment or decree of a federal court or of the superior court when not sitting in probate, liquidation trusts or trusts for the sole purpose of paying dividends, interest or interest coupons, salaries, wages or pensions; nor does this chapter apply to personal representatives.

Sec. 96. Section 30.30.020, chapter 33, Laws of 1955 as amended by section 129, chapter 149, Laws of 1984 and RCW 11.106.020 are each reenacted to read as follows:

The trustee or trustees appointed by any will, deed, or agreement executed shall mail or deliver at least annually to each adult income trust beneficiary a written itemized statement of all current receipts and disbursements made by the trustee of the funds of the trust both principal and income, and upon the request of any such beneficiary shall furnish the beneficiary an itemized statement of all property then held by that trustee, and may also file any such statement in the superior court of the county in which the trustee or one of the trustees resides.

Sec. 97. Section 30.30.030, chapter 33, Laws of 1955 as amended by section 130, chapter 149, Laws of 1984 and RCW 11.106.030 are each reenacted to read as follows:

In addition to the statement required by RCW 11.106.020 any such trustee or trustees whenever it or they so desire, may file in the superior court of the county in which the trustees or one of the trustees resides an intermediate account under oath showing:

- (1) The period covered by the account;
- (2) The total principal with which the trustee is chargeable according to the last preceding account or the inventory if there is no preceding account;
- (3) An itemized statement of all principal funds received and disbursed during such period;
- (4) An itemized statement of all income received and disbursed during such period, unless waived;
- (5) The balance of such principal and income remaining at the close of such period and how invested;
- (6) The names and addresses of all living beneficiaries, including contingent beneficiaries, of the trust, and a statement as to any such beneficiary known to be under legal disability;
- (7) A description of any possible unborn or unascertained beneficiary and his interest in the trust fund.

After the time for termination of the trust has arrived, the trustee or trustees may also file a final account in similar manner.

Sec. 98. Section 30.30.040, chapter 33, Laws of 1955 as amended by section 131, chapter 149, Laws of 1984 and RCW 11.106.040 are each reenacted to read as follows:

Upon the petition under chapter 11.96 RCW of any settlor or of any beneficiary of such a trust after due notice as provided in chapter 11.96 RCW to the trustee the superior court in the county where the trustee or one of the trustees resides may direct the trustee or trustees to file in the court an account at any time after one year from the day on which such a report was last filed, or if none, then after one year from the inception of the trust.

Sec. 99. Section 30.30.050, chapter 33, Laws of 1955 as amended by section 132, chapter 149, Laws of 1984 and RCW 11.106.050 are each reenacted and amended to read as follows:

When any account has been filed pursuant to RCW 11.106.030 or 11.106.040, the clerk of the court where filed shall fix a return day therefor as provided in RCW 11.96.090 and issue a notice ~~((as provided in RCW 11.96.090))~~. The notice shall state the time and place for the return date, the name or names of the trustee or trustees who have filed the account, that the account has been filed, that the court is asked to settle the account, and that any objections or exceptions to the account must be filed with the clerk of the court on or before the return date. The notice shall be given as provided for notices under RCW 11.96.100 or 11.96.110.

Sec. 100. Section 30.30.060, chapter 33, Laws of 1955 as last amended by section 133, chapter 149, Laws of 1984 and RCW 11.106.060 are each reenacted to read as follows:

Upon or before the return date any beneficiary of the trust may file the beneficiary's written objections or exceptions to the account filed or to any action of the trustee or trustees set forth in the account. The court shall appoint guardians ad litem as provided in RCW 11.96.180 and the court may allow representatives to be appointed under RCW 11.96.110 and 11.96.170 to represent the persons listed in those sections.

Sec. 101. Section 30.30.070, chapter 33, Laws of 1955 as amended by section 134, chapter 149, Laws of 1984 and RCW 11.106.070 are each reenacted to read as follows:

Upon the return date or at some later date fixed by the court if so requested by one or more of the parties, the court without the intervention of a jury and after hearing all the evidence submitted shall determine the correctness of the account and the validity and propriety of all actions of the trustee or trustees set forth in the account including the purchase, retention, and disposition of any of the property and funds of the trust, and shall render its decree either approving or disapproving the account or any part of it, and surcharging the trustee or trustees for all losses, if any, caused by negligent or wilful breaches of trust.

Sec. 102. Section 30.30.080, chapter 33, Laws of 1955 as amended by section 135, chapter 149, Laws of 1984 and RCW 11.106.080 are each reenacted to read as follows:

The decree rendered under RCW 11.106.070 shall be deemed final, conclusive, and binding upon all the parties interested including all incompetent, unborn, and unascertained beneficiaries of the trust subject only to the right of appeal under RCW 11.106.090.

Sec. 103. Section 30.30.090, chapter 33, Laws of 1955 as last amended by section 136, chapter 149, Laws of 1984 and RCW 11.106.090 are each reenacted to read as follows:

The decree rendered under RCW 11.106.070 shall be a final order from which any party in interest may appeal as in civil actions to the supreme court or the court of appeals of the state of Washington.

Sec. 104. Section 30.30.100, chapter 33, Laws of 1955 as amended by section 137, chapter 149, Laws of 1984 and RCW 11.106.100 are each reenacted to read as follows:

Any adult beneficiary entitled to an accounting under either RCW 11.106.020 or 11.106.030 may waive such an accounting by a separate instrument delivered to the trustee.

Sec. 105. Section 30.30.110, chapter 33, Laws of 1955 as amended by section 138, chapter 149, Laws of 1984 and RCW 11.106.110 are each reenacted to read as follows:

This chapter is declared to be of similar import to the uniform trustees' accounting act. Any modification under chapter 11.97 RCW, including waiver, of the requirements of this chapter in any will, deed, or agreement heretofore or hereafter executed shall be given effect whether the waiver refers to the uniform trustees' accounting act by name or other reference or to any other act of like or similar import.

Sec. 106. Section 140, chapter 149, Laws of 1984 and RCW 11.108.010 are each reenacted to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) The term 'pecuniary bequest' means a gift in a governing instrument which either is expressly stated as a fixed dollar amount or is a gift of a dollar amount determinable by the governing instrument, and a gift expressed in terms of a 'sum' or an 'amount,' unless the context dictates otherwise, is a gift of a dollar amount.

(2) The term 'marital deduction' means the federal estate tax deduction allowed for transfers under section 2056 of the internal revenue code.

(3) The term 'maximum marital deduction' means the maximum amount qualifying for the marital deduction.

(4) The term 'marital deduction gift' means a gift intended to qualify for the marital deduction.

(5) The term 'governing instrument' includes a will and codicils, irrevocable, and revocable trusts.

(6) 'Fiduciary' means trustee or personal representative. Reference to a fiduciary in the singular includes the plural where the context requires.

(7) References to the 'internal revenue code' are to the United States internal revenue code of 1954, as it is amended from time to time. Each reference to a section of the internal revenue code refers as well to any subsequent provisions of law enacted in its place.

(8) The term 'gift' refers to all legacies, devises, and bequests made in a governing instrument.

Sec. 107. Section 141, chapter 149, Laws of 1984 and RCW 11.108.020 are each reenacted to read as follows:

If a governing instrument contains a marital deduction gift, the governing instrument, including any power, duty, or discretionary authority given to the fiduciary, shall be construed to comply with the marital deduction provisions of the internal revenue code and the regulations thereunder in order to conform to that intent. Whether the governing instrument contains a marital deduction depends upon the intent of the testator at the time the governing instrument is executed. If the testator has adequately evidenced an intention to make a marital deduction gift, the fiduciary shall not take any action or have any power that may impair that deduction. This section shall neither require nor prohibit a fiduciary from making the election referred to in section 2056(b)(7) of the internal revenue code.

Sec. 108. Section 142, chapter 149, Laws of 1984 and RCW 11.108.030 are each reenacted to read as follows:

(1) If a governing instrument authorizes the fiduciary to satisfy a pecuniary bequest in whole or in part by distribution of property other than money, the assets selected for that purpose shall be valued at their respective fair market values on the date or dates of distribution, unless the governing instrument expressly provides otherwise. If the governing instrument permits the fiduciary to value the assets selected for the distribution as of a date other than the date or dates of distribution, then, unless the governing instrument expressly provides otherwise, the assets selected by the fiduciary for that purpose shall have an aggregate fair market value on the date or dates of distribution which, when added to any cash distributed, will amount to no less than the amount of that gift as stated in, or determined by, the governing instrument.

(2) A marital deduction gift shall be satisfied only with assets that qualify for those deductions.

Sec. 109. Section 143, chapter 149, Laws of 1984 and RCW 11.108.040 are each reenacted and amended to read as follows:

(1) If a testator, under the terms of a governing instrument executed prior to September 12, 1981, leaves outright to or in trust for the benefit of that testator's surviving spouse an amount or fractional share of that testator's estate or a trust estate expressed in terms of one-half of that testator's federal adjusted gross estate, or by any other reference to the maximum estate tax marital deduction allowable under federal law without referring, either in that governing instrument or in any codicil or amendment thereto, specifically to the unlimited federal estate tax marital deduction enacted as part of the economic recovery tax act of 1981, such expression shall, unless subsection ~~((1) or)~~ (2) or (3) of this section applies, be construed as referring to the unlimited federal estate tax marital deduction, and also as expressing such amount or fractional share, as the case may be, in terms of the minimum amount which will cause the least possible amount of federal estate tax to be payable as a result of the testator's death, taking into account other property passing to the surviving spouse that qualifies for the marital deduction, at the value at which it qualifies, and also taking into account all credits against the federal estate tax, but only to the extent that the use of these credits do not increase the death tax payable.

(2) If this subsection applies to a testator, such expression shall be construed as referring to the estate tax marital deduction allowed by federal law immediately prior to the enactment of the unlimited estate tax marital deduction as a part of the economic recovery tax act of 1981. This subsection applies if subsection (3) of this section does not apply and:

(a) The application of this subsection to the testator will not cause an increase in the federal estate taxes payable as a result of the testator's death over the amount of such taxes which would be payable if subsection (1) of this section applied; or

(b) The testator is survived by a blood or adopted descendant who is not also a blood or adopted descendant of the testator's surviving spouse, unless such person or persons have entered into an agreement under the dispute resolution procedures in chapter 11.96 RCW; or

(c) The testator amended the governing instrument containing such expression after December 31, 1981, without amending such expression to refer expressly to the unlimited federal estate tax marital deduction.

(3) If the governing instrument contains language expressly stating that federal law of a particular time prior to January 1, 1982, is to govern the construction or interpretation of such expression, the expression shall be construed as referring to the marital deduction allowable under federal law in force and effect as of that time.

(4) If subsection (2) or (3) of this section applies to the testator ~~((and if the expression contains any provision reducing the amount or the fractional share left outright to or in trust for the benefit of the surviving spouse by other property passing to the surviving spouse and qualifying for the federal estate tax marital deduction, the provision)),~~ the expression shall not be construed as referring to any property that the personal representative of the testator's estate or other authorized fiduciary elects to qualify for the federal estate tax marital deduction as qualified terminable interest property. If subsection (1) of this section applies to the testator, any ~~((such))~~ provision shall be construed as referring to any property that the personal representative of the testator's estate or other authorized fiduciary elects to qualify for the federal estate tax marital deduction as qualified terminable interest property, but only to the extent that such construction does not cause the amount or fractional share left to or for the benefit of the surviving spouse to be reduced below the amount that would pass under subsection (2) or (3) of this section, whichever is applicable.

(5) This section is effective with respect to testators dying after December 31, 1982.

Sec. 110. Section 144, chapter 149, Laws of 1984 and RCW 11.108.050 are each reenacted and amended to read as follows:

If a governing instrument indicates the testator's intention to make a marital deduction gift in trust, in addition to the other provisions of this section, each of the following also applies to the trust; provided, however, that such provisions shall not apply to any trust which provides for the entire then remaining trust estate to be paid on the termination of the income interest to the estate of the spouse of the trust's creator, or to a charitable beneficiary, contributions to which are tax deductible for federal income tax purposes:

(1) The only income beneficiary of a marital deduction trust is the testator's surviving spouse;

(2) The income beneficiary is entitled to all of the trust income until the trust terminates;

(3) The trust income is payable to the income beneficiary not less frequently than annually; and

(4) Except in the case of ~~((qualified terminable interest property resulting from))~~ property that has or would otherwise have qualified for the marital deduction only as the result of an election under section 2056(b)(7) of the internal revenue code, upon termination of the trust, all of the remaining trust assets, including accrued or undistributed income, pass either to the income beneficiary or under the exercise of a general power of appointment granted to the

income beneficiary in favor of the income beneficiary's estate or to any other person or entity in trust or outright. The general power of appointment is exercisable by the income beneficiary alone and in all events (~~and the income beneficiary, or a fiduciary acting in behalf of the income beneficiary if he or she is then a minor or incompetent, may exercise it in a will or an instrument other than a will unless the instrument creating the power specifically directs otherwise~~).

The exercise of the general power of appointment provided in this section shall be done only by ((express written reference to this general power of appointment in a will or inter vivos trust instrument executed by)) the income beneficiary in the manner provided by RCW 11.95.060 by specifically referring to this section.

Sec. 111. Section 145, chapter 149, Laws of 1984 and RCW 11.108.060 are each reenacted to read as follows:

If a governing instrument contains a marital deduction gift, whether outright or in trust and whether there is a specific reference to this section, any survivorship requirement expressed in the governing instrument in excess of six months does not apply to property passing under a marital deduction, and in addition, is limited to a six-month period beginning with the testator's death.

Sec. 112. Section 146, chapter 149, Laws of 1984 and RCW 11.108.900 are each reenacted and amended to read as follows:

This chapter applies to ((any distribution made)) all estates, trusts, and governing instruments in existence on or any time after March 7, 1984, ((whether the testator died before or)) and to all proceedings with respect thereto after that date, whether the proceedings commenced before or after that date, and including distributions made after that date. This chapter shall not apply to any governing instrument the terms of which expressly or by necessary implication make this chapter inapplicable. The judicial and nonjudicial dispute resolution procedures of chapter 11.96 RCW apply to this chapter.

Sec. 113. Section 1, chapter 53, Laws of 1967 ex. sess. and RCW 11.110.010 are each reenacted to read as follows:

The purpose of this chapter is to facilitate public supervision over the administration of public charitable trusts and similar relationships and to clarify and implement the powers and duties of the attorney general with relation thereto.

Sec. 114. Section 2, chapter 53, Laws of 1967 ex. sess. as amended by section 1, chapter 226, Laws of 1971 ex. sess. and RCW 11.110.020 are each reenacted to read as follows:

When used in this chapter, unless the context otherwise requires:

'Person' means an individual, organization, group, association, partnership, corporation, or any combination of them.

'Trustee' means (1) any person holding property in trust for a public charitable purpose; except the United States, its states, territories, and possessions, the District of Columbia, Puerto Rico, and their agencies and subdivisions; and (2) a corporation formed for the administration of a charitable trust or holding assets subject to limitations permitting their use only for charitable, religious, eleemosynary, benevolent, educational, or similar purposes: PROVIDED, That the term 'trustee' does not apply to (a) religious corporations duly organized and operated in good faith as religious organizations, which have received a declaration of current tax exempt status from the government of the United States; their duly organized branches or chapters; and charities, agencies, and organizations affiliated with and forming an integral part of said organization, or operated, supervised, or controlled directly by such religious corporations nor any officer of any such religious organization who holds property for religious purposes: PROVIDED, That if such organization has not received from the United States government a declaration of current tax exempt status prior to the time it receives property under the terms of a charitable trust, this exemption shall be applicable for two years only from the time of receiving such property, or until such tax exempt status is finally declared, whichever is sooner; or (b) an educational institution which is nonprofit and charitable, having a program of primary, secondary, or collegiate instruction comparable in scope to that of any public school or college operated by the state of Washington or any of its school districts.

Sec. 115. Section 4, chapter 53, Laws of 1967 ex. sess. and RCW 11.110.040 are each reenacted to read as follows:

All information, documents, and reports filed with the attorney general under this chapter are matters of public record and shall be open to public inspection, subject to reasonable regulation: PROVIDED, That the attorney general shall withhold from public inspection any trust instrument so filed whose content is not exclusively for charitable purposes. The attorney general may publish, on a periodic or other basis, such information as may be necessary or appropriate in the public interest concerning the registration, reports, and information filed with him or any other matters relevant to the administration and enforcement of this chapter.

Sec. 116. Section 5, chapter 53, Laws of 1967 ex. sess. as amended by section 149, chapter 149, Laws of 1984 and RCW 11.110.050 are each reenacted to read as follows:

The attorney general shall establish and maintain a register of trustees as defined in RCW 11.110.020 and, to that end, shall conduct whatever investigation is necessary, and shall obtain from public records, court officers, taxing authorities, trustees, and other sources whatever

information, copies of instruments, reports, and records are needed, for the establishment and maintenance of the register.

Sec. 117. Section 6, chapter 53, Laws of 1967 ex. sess. as last amended by section 150, chapter 149, Laws of 1984 and RCW 11.110.060 are each reenacted and amended to read as follows:

Every trustee shall file with the attorney general within two months after receiving possession or control of the trust corpus a copy of the instrument establishing his title, powers, or duties, and an inventory of the assets of such charitable trust. In addition, trustees exempted from the provisions of RCW 11.110.070 by RCW 11.110.073 shall file with the attorney general a copy of the declaration of the tax-exempt status or other basis of the claim for such exemption; a copy of the instrument establishing the trustee's title, powers or duties; an inventory of the assets of such trust; and, annually, a copy of each publicly available United States tax or information return or report of the trust which the trustee files with the internal revenue service. The trustees of charitable trusts existing at the time this chapter ~~((takes effect))~~ takes effect or on August 9, 1971, shall comply with this section within six months thereafter.

Sec. 118. Section 7, chapter 53, Laws of 1967 ex. sess. as amended by section 3, chapter 226, Laws of 1971 ex. sess. and RCW 11.110.070 are each reenacted to read as follows:

Except as otherwise provided every trustee subject to this chapter shall file with the attorney general annual reports, under oath, setting forth information as to the nature of the assets held for charitable purposes and the administration thereof by the trustee, in accordance with rules and regulations of the attorney general.

The attorney general shall make rules and regulations as to the time for filing reports, the contents thereof, and the manner of executing and filing them. He may classify trusts and other relationships concerning property held for a charitable purpose as to purpose, nature of assets, duration of the trust or other relationship, amount of assets, amounts to be devoted to charitable purposes, nature of trustee, or otherwise, and may establish different rules for the different classes as to time and nature of the reports required, to the ends (1) that he shall receive reasonably current, periodic reports as to all charitable trusts or other relationships of a similar nature which will enable him to ascertain whether they are being properly administered, and (2) that periodic reports shall not unreasonably add to the expense of the administration of charitable trusts and similar relationships. The attorney general may suspend the filing of reports as to a particular charitable trust or relationship for a reasonable, specifically designated time upon written application of the trustee filed with the attorney general after the attorney general has filed in the register of charitable trusts a written statement that the interests of the beneficiaries will not be prejudiced thereby and that periodic reports are not required for proper supervision by his office.

A copy of an account filed by the trustee in any court having jurisdiction of the trust or other relationship, if the account substantially complies with the rules and regulations of the attorney general, may be filed as a report required by this section.

The first report for a trust or similar relationship hereafter established, unless the filing thereof is suspended as herein provided, shall be filed not later than one year after any part of the income or principal is authorized or required to be applied to a charitable purpose. If any part of the income or principal of a trust previously established is authorized or required to be applied to a charitable purpose at the time this act takes effect, the first report, unless the filing thereof is suspended, shall be filed within six months after the effective date of this act.

Sec. 119. Section 4, chapter 226, Laws of 1971 ex. sess. as amended by section 153, chapter 149, Laws of 1984 and RCW 11.110.073 are each reenacted to read as follows:

The following trustees shall be exempt from the provisions of RCW 11.110.070, but shall file the information required in RCW 11.110.060:

(1) A bank or trust company subject to examination by the supervisor of banking of the state of Washington, the comptroller of the currency of the United States or the board of governors of the federal reserve system; which such bank or trust company is acting as trustee, executor or court-appointed fiduciary; PROVIDED, That a bank or trust company which is a co-fiduciary of a trust shall be deemed to be the sole fiduciary of such trust under this section, if the bank or trust company is custodian of the books and records of the trust and has the responsibility for preparing the reports and returns which are filed with the internal revenue service;

(2) The governing body of a nonprofit community foundation or other nonprofit foundation incorporated for charitable purposes, contributions to which are currently allowed as charitable deductions under the United States income tax laws;

(3) The governing body of a hospital which is nonprofit and charitable, other than a hospital initially formed as a trustee pursuant to or in connection with the terms of a charitable trust.

Sec. 120. Section 5, chapter 226, Laws of 1971 ex. sess. as amended by section 154, chapter 149, Laws of 1984 and RCW 11.110.075 are each reenacted to read as follows:

A trust is not exclusively for charitable purposes, within the meaning of RCW 11.110.040, when the instrument creating it contains a trust for several or mixed purposes, and any one or more of such purposes is not charitable within the meaning of RCW 11.110.020, as enacted or



hereafter amended. Such instrument shall be withheld from public inspection by the attorney general and no information as to such noncharitable purpose shall be made public.

Annual reporting of such trusts to the attorney general, as required by RCW 11.110.060 or 11.110.070, shall commence within one year after trust income or principal is authorized or required to be used for a charitable purpose.

When a trust consists of a vested charitable remainder preceded by a life estate, a copy of the instrument shall be filed by the trustee or by the life tenant, within two months after commencement of the life estate.

If the trust instrument contains only contingent gifts or remainders to charitable purposes, no charitable trust shall be deemed created until a charitable gift or remainder is legally vested. The first registration or report of such trust shall be filed within two months after trust income or principal is authorized or required to be used for a charitable purpose.

Sec. 121. Section 8, chapter 53, Laws of 1967 ex. sess. and RCW 11.110.080 are each reenacted to read as follows:

The custodian of the records of a court having jurisdiction of probate matters or of charitable trusts shall furnish within two months after receiving possession or control thereof such copies of papers, records, and files of his office relating to the subject of this chapter as the attorney general shall require.

Every officer, agency, board or commission of this state receiving applications for exemption from taxation of any charitable trust or similar relationship in which the trustee is subject to this chapter shall annually file with the attorney general a list of all applications received during the year.

Sec. 122. Section 9, chapter 53, Laws of 1967 ex. sess. and RCW 11.110.090 are each reenacted to read as follows:

It is the purpose of this chapter to make uniform the laws of this and other states on the subject of charitable trusts and similar relationships. Recognizing the necessity for uniform application and enforcement of this chapter, its provisions are hereby declared mandatory and they shall not be superseded by the provisions of any trust instrument or similar instrument to the contrary.

Sec. 123. Section 10, chapter 53, Laws of 1967 ex. sess. and RCW 11.110.100 are each reenacted to read as follows:

The attorney general may investigate transactions and relationships of trustees and other persons subject to this chapter for the purpose of determining whether the trust or other relationship is administered according to law and the terms and purposes of the trust, or to determine compliance with this chapter in any other respect. He may require any officer, agent, trustee, fiduciary, beneficiary, or other person, to appear, at a time and place designated by the attorney general in the county where the person resides or is found, to give information under oath and to produce books, memoranda, papers, documents of title, and evidence of assets, liabilities, receipts, or disbursements in the possession or control of the person ordered to appear.

Sec. 124. Section 11, chapter 53, Laws of 1967 ex. sess. as last amended by section 157, chapter 149, Laws of 1984 and RCW 11.110.110 are each reenacted to read as follows:

When the attorney general requires the attendance of any person, as provided in RCW 11.110.100, he shall issue an order setting forth the time when and the place where attendance is required and shall cause the same to be delivered to or sent by registered mail to the person at least fourteen days before the date fixed for attendance. Such order shall have the same force and effect as a subpoena, and, upon application of the attorney general, obedience to the order may be enforced by any superior court judge in the county where the person receiving it resides or is found, in the same manner as though the notice were a subpoena. The court, after hearing, for good cause, and upon application of any person aggrieved by the order, shall have the right to alter, amend, revise, suspend, or postpone all or any part of its provisions. In any case where the order is not enforced by the court according to its terms, the reasons for the court's actions shall be clearly stated in the record, and shall be subject to review by the supreme court or the court of appeals by certiorari or other appropriate proceeding.

Sec. 125. Section 12, chapter 53, Laws of 1967 ex. sess. as amended by section 158, chapter 149, Laws of 1984 and RCW 11.110.120 are each reenacted to read as follows:

The attorney general may institute appropriate proceedings to secure compliance with this chapter and to secure the proper administration of any trust or other relationship to which this chapter applies. He shall be notified of all judicial proceedings involving or affecting the charitable trust or its administration in which, at common law, he is a necessary or proper party as representative of the public beneficiaries. The notification shall be given as provided in RCW 11.96.100, but this notice requirement may be waived at the discretion of the attorney general. The powers and duties of the attorney general provided in this chapter are in addition to his existing powers and duties, and are not to be construed to limit or to restrict the exercise of the powers or the performance of the duties of the attorney general or of any prosecuting attorney which they may exercise or perform under any other provision of law. Except

as provided herein, nothing in this chapter shall impair or restrict the jurisdiction of any court with respect to any of the matters covered by it.

Sec. 126. Section 6, chapter 226, Laws of 1971 ex. sess. and RCW 11.110.125 are each reenacted to read as follows:

The wilful refusal by a trustee to make or file any report or to perform any other duties expressly required by this chapter, or to comply with any valid rule or regulation promulgated by the attorney general under this chapter, shall constitute a breach of trust and a violation of this chapter.

Sec. 127. Section 13, chapter 53, Laws of 1967 ex. sess. and RCW 11.110.130 are each reenacted to read as follows:

A civil action for a violation of this chapter may be prosecuted by the attorney general or by a prosecuting attorney designated by the attorney general.

Sec. 128. Section 14, chapter 53, Laws of 1967 ex. sess. and RCW 11.110.140 are each reenacted to read as follows:

Every false statement of material fact knowingly made or caused to be made by any person in any statement or report filed under this chapter and every other violation of this chapter is a gross misdemeanor.

Sec. 129. Section 1, chapter 58, Laws of 1971 as amended by section 161, chapter 149, Laws of 1984 and RCW 11.110.200 are each reenacted to read as follows:

RCW 11.110.200 through 11.110.260 shall apply only to trusts which are 'private foundations' as defined in section 509 of the Internal Revenue Code of 1954, 'charitable trusts' as described in section 4947(a)(1) of the Internal Revenue Code of 1954, or 'split-interest trusts' as described in section 4947(a)(2) of the Internal Revenue Code of 1954. With respect to any such trust created after December 31, 1969, RCW 11.110.200 through 11.110.260 shall apply from such trust's creation. With respect to any such trust created before January 1, 1970, RCW 11.110.200 through 11.110.260 shall apply only to such trust's federal taxable years beginning after December 31, 1971.

Sec. 130. Section 2, chapter 58, Laws of 1971 as amended by section 162, chapter 149, Laws of 1984 and RCW 11.110.210 are each reenacted to read as follows:

The trust instrument of each trust to which RCW 11.110.200 through 11.110.260 applies shall be deemed to contain provisions prohibiting the trustee from:

(1) Engaging in any act of 'self-dealing' (as defined in section 4941(d) of the Internal Revenue Code of 1954), which would give rise to any liability for the tax imposed by section 4941(a) of the Internal Revenue Code of 1954;

(2) Retaining any 'excess business holdings' (as defined in section 4943(c) of the Internal Revenue Code of 1954), which would give rise to any liability for the tax imposed by section 4943(a) of the Internal Revenue Code of 1954;

(3) Making any investments which would jeopardize the carrying out of any of the exempt purposes of the trust, within the meaning of section 4944 of the Internal Revenue Code of 1954, so as to give rise to any liability for the tax imposed by section 4944(a) of the Internal Revenue Code of 1954; and

(4) Making any 'taxable expenditures' (as defined in section 4945(d) of the Internal Revenue Code of 1954), which would give rise to any liability for the tax imposed by section 4945(a) of the Internal Revenue Code of 1954;

PROVIDED, That this section shall not apply either to those split-interest trusts or to amounts thereof which are not subject to the prohibitions applicable to private foundations by reason of the provisions of section 4947 of the Internal Revenue Code of 1954.

Sec. 131. Section 3, chapter 58, Laws of 1971 as amended by section 163, chapter 149, Laws of 1984 and RCW 11.110.220 are each reenacted to read as follows:

The trust instrument of each trust to which RCW 11.110.200 through 11.110.260 applies, except 'split-interest' trusts, shall be deemed to contain a provision requiring the trustee to distribute, for the purposes specified in the trust instrument, for each taxable year of the trust, amounts at least sufficient to avoid liability for the tax imposed by section 4942(a) of the Internal Revenue Code of 1954.

Sec. 132. Section 4, chapter 58, Laws of 1971 as amended by section 164, chapter 149, Laws of 1984 and RCW 11.110.230 are each reenacted to read as follows:

Nothing in RCW 11.110.200 through 11.110.260 shall impair the rights and powers of the courts or the attorney general of this state with respect to any trust.

Sec. 133. Section 5, chapter 58, Laws of 1971 as last amended by section 165, chapter 149, Laws of 1984 and RCW 11.110.240 are each reenacted to read as follows:

All references to sections of the Internal Revenue Code of 1954 shall include all amendments thereto adopted by the Congress of the United States on or before January 1, 1985.

Sec. 134. Section 6, chapter 58, Laws of 1971 as amended by section 167, chapter 149, Laws of 1984 and RCW 11.110.250 are each reenacted to read as follows:

Nothing in RCW 11.110.200 through 11.110.260 shall limit the power of a person who creates a trust after June 10, 1971 or the power of a person who has retained or has been granted the right to amend a trust created before June 10, 1971, to include a specific provision in the trust

instrument or an amendment thereto, as the case may be, which provides that some or all of the provisions of RCW 11.110.210 and 11.110.220 shall have no application to such trust.

Sec. 135. Section 7, chapter 58, Laws of 1971 as amended by section 168, chapter 149, Laws of 1984 and RCW 11.110.260 are each reenacted to read as follows:

If any provision of RCW 11.110.200 through 11.110.260 or the application thereof to any trust is held invalid, such invalidity shall not affect the other provisions or applications of RCW 11.110.200 through 11.110.260 which can be given effect without the invalid provision or application, and to this end the provisions of RCW 11.110.200 through 11.110.260 are declared to be severable.

Sec. 136. Section 15, chapter 53, Laws of 1967 ex. sess. and RCW 11.110.900 are each reenacted 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.

Sec. 137. Section 30.04.310, chapter 33, Laws of 1955 as amended by section 173, chapter 149, Laws of 1984 and RCW 30.04.310 are each reenacted to read as follows:

Every bank or trust company which violates or fails to comply with any provision of chapters 30.04 through 30.23 RCW, inclusive, and chapters 30.44 and 11.100 RCW of this title or any lawful direction or requirement of the supervisor shall be subject, in addition to any penalty now provided, to a penalty of not more than one hundred dollars for each offense, to be recovered by the attorney general in a civil action in the name of the state. Each day's continuance of the violation shall be a separate and distinct offense.

Sec. 138. Section 127, chapter 247, Laws of 1943 as last amended by section 175, chapter 149, Laws of 1984 and RCW 68.44.030 are each reenacted to read as follows:

Endowment care funds shall be kept invested in accordance with the provisions of RCW 11.100.020 subject to the following restrictions:

(1) No officer or director of the cemetery authority, trustee of the endowment care or special care funds, or spouse, sibling, parent, grandparent, or issue of such officer, director, or trustee, shall borrow any of such funds for himself, directly or indirectly.

(2) No funds shall be loaned to the cemetery authority, its agents, or employees, or to any corporation, partnership, or other business entity in which the cemetery authority has any ownership interest.

(3) No funds shall be invested with persons or business entities operating in a business field directly related to cemeteries, including, but not limited to, mortuaries, monument production and sales, florists, and rental of funeral facilities.

(4) Notwithstanding any other provisions contained in this section, funds may be invested in any commercial bank, mutual savings bank, or savings and loan association duly chartered and operating under the laws of the United States or statutes of the state of Washington.

NEW SECTION, Sec. 139. A new section is added to chapter 11.02 RCW to read as follows:

(1) Nothing in chapter --, Laws of 1985 (this act), SB -- (Z-577/85), SB -- (Z-449/85), SB -- (Z-450/85), SB -- (Z-471/85), SB -- (Z-474/85), or SB -- (Z-476/85) shall invalidate or nullify:

(a) Any instrument or property relationship that is executed and irrevocable as of the effective date of this act; or

(b) Any action undertaken in a proceeding where the action was commenced before the effective date of this act, as long as the instrument, property relationship, or action complies with chapter 149, Laws of 1984.

(2) Except as specifically provided otherwise in chapter 149, Laws of 1984 as amended and reenacted in 1985, chapter 149, Laws of 1984 as amended and reenacted in 1985 shall apply to all instruments, property relationships, and proceedings existing on January 1, 1985.

NEW SECTION, Sec. 140. A new section is added to chapter 11.94 RCW to read as follows:

Sections 26 through 31, chapter 149, Laws of 1984 apply as of January 1, 1985, to all existing or subsequently executed instruments but shall not apply to any instrument the terms of which expressly or impliedly make those sections inapplicable.

NEW SECTION, Sec. 141. A new section is added to chapter 11.98 RCW to read as follows:

Where a vacancy occurs in the office of trustee under the circumstances described in RCW 11.98.039 (1) or (2), the outgoing trustee shall be discharged upon the agreement of all parties entitled to notice or upon the expiration of thirty days after notice is given of such vacancy as required by the applicable subsection of RCW 11.98.039, whichever occurs first, or if no notice is required under RCW 11.98.039(1), upon the date the vacancy occurs, unless before the effective date of such discharge a petition is filed under RCW 11.98.039(3) regarding the appointment or change of a trustee of the trust. Where a petition is filed under RCW 11.98.039(3) regarding the appointment or change of a trustee, the superior court having jurisdiction may discharge the trustee from the trust and may appoint a successor trustee upon such terms as the court may require.

NEW SECTION, Sec. 142. A new section is added to chapter 11.104 RCW to read as follows:

Sections 116 through 126, chapter 149, Laws of 1984, as amended and reenacted in 1985, shall apply as of January 1, 1985.

NEW SECTION, Sec. 143. The following acts or parts of acts are each repealed:

(1) Section 11.16.050, chapter 145, Laws of 1965, section 4, chapter 168, Laws of 1967 and RCW 11.16.050;

(2) Section 4, chapter 124, Laws of 1959 and RCW 11.98.029;

(3) Section 8, chapter 88, Laws of 1967 ex. sess., section 33, chapter 292, Laws of 1971 ex. sess. and RCW 21.25.010;

(4) Section 9, chapter 88, Laws of 1967 ex. sess. and RCW 21.25.020;

(5) Section 10, chapter 88, Laws of 1967 ex. sess. and RCW 21.25.030;

(6) Section 11, chapter 88, Laws of 1967 ex. sess., section 34, chapter 292, Laws of 1971 ex. sess. and RCW 21.25.040;

(7) Section 12, chapter 88, Laws of 1967 ex. sess. and RCW 21.25.050;

(8) Section 13, chapter 88, Laws of 1967 ex. sess. and RCW 21.25.060;

(9) Section 14, chapter 88, Laws of 1967 ex. sess., section 35, chapter 292, Laws of 1971 ex. sess. and RCW 21.25.070;

(10) Section 15, chapter 88, Laws of 1967 ex. sess. and RCW 21.25.080;

(11) Section 16, chapter 88, Laws of 1967 ex. sess. and RCW 21.25.090;

(12) Section 17, chapter 88, Laws of 1967 ex. sess. and RCW 21.25.100;

(13) Section 18, chapter 88, Laws of 1967 ex. sess. and RCW 21.25.110;

(14) Section 19, chapter 88, Laws of 1967 ex. sess. and RCW 21.25.900; and

(15) Section 30.24.060, chapter 33, Laws of 1955, section 1, chapter 209, Laws of 1967 and RCW 30.24.060.

NEW SECTION. Sec. 144. 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. 145. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 2 of the title, after "1984," strike the remainder of the title and insert "reenacting and amending RCW 11.68.090, 11.93.020, 11.93.912, 11.94.010, 11.94.020, 11.94.030, 11.94.040, 11.94.050, 11.94.060, 11.95.060, 11.95.070, 11.98.019, 11.98.029, 11.98.039, 11.98.070, 11.98.080, 11.98.110, 11.98.900, 11.100.023, 11.100.025, 11.100.060, 11.104.040, 11.104.050, 11.104.120, 11.104.130, 11.106.050, 11.108.040, 11.108.050, 11.108.900, and 11.110.060; reenacting RCW 11.02.001, 11.02.005, 11.28.240, 11.36.021, 11.68.110, 11.92.040, 11.92.140, 11.92.150, 11.93.010, 11.93.030, 11.93.040, 11.93.050, 11.93.060, 11.93.070, 11.93.080, 11.93.900, 11.93.910, 11.93.911, 11.93.920, 11.95.010, 11.95.020, 11.95.030, 11.95.040, 11.95.050, 11.97.010, 11.97.900, 11.98.009, 11.98.016, 11.98.045, 11.98.051, 11.98.055, 11.98.060, 11.98.065, 11.98.090, 11.98.100, 11.98.130, 11.98.140, 11.98.150, 11.98.160, 11.98.170, 11.98.910, 11.98.920, 11.100.010, 11.100.015, 11.100.020, 11.100.030, 11.100.035, 11.100.037, 11.100.040, 11.100.050, 11.100.070, 11.100.090, 11.100.120, 11.100.130, 11.100.140, 11.102.010, 11.102.020, 11.102.030, 11.102.040, 11.102.050, 11.104.010, 11.104.020, 11.104.030, 11.104.060, 11.104.070, 11.104.080, 11.104.090, 11.106.010, 11.106.020, 11.106.030, 11.106.040, 11.106.060, 11.106.070, 11.106.080, 11.106.090, 11.106.100, 11.106.110, 11.108.010, 11.108.020, 11.108.030, 11.108.060, 11.110.010, 11.110.020, 11.110.040, 11.110.050, 11.110.070, 11.110.073, 11.110.075, 11.110.080, 11.110.090, 11.110.100, 11.110.110, 11.110.120, 11.110.125, 11.110.130, 11.110.140, 11.110.200, 11.110.210, 11.110.220, 11.110.230, 11.110.240, 11.110.250, 11.110.260, 11.110.900, 30.04.310, and 68.44.030; adding a new section to chapter 11.02 RCW; adding a new section to chapter 11.94 RCW; adding a new section to chapter 11.98 RCW; adding a new section to chapter 11.104 RCW; creating new sections; repealing RCW 11.16.050, 11.98.029, 21.25.010, 21.25.020, 21.25.030, 21.25.040, 21.25.050, 21.25.060, 21.25.070, 21.25.080, 21.25.090, 21.25.100, 21.25.110, 21.25.900, and 30.24.060; and declaring an emergency."

Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, P. King, Lewis, Locke, G. Nelson, Niemi, Padden, Schmidt, Schoon, Tilly, Van Luven, West and Wang.

Absent: Representative Van Luven.

Passed to Committee on Rules for second reading.

February 20, 1985

SB 3073

Prime Sponsor, Senator Talmadge: Making technical corrections and reenacting wills provisions from the Washington trust act of 1984. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The purpose of this act is to make technical corrections to chapter 149, Laws of 1984, and to ensure that the changes made in that chapter meet the constitutional requirements of Article II, section 19 of the state Constitution.

Sec. 2. Section 11.12.250, chapter 145, Laws of 1965 as amended by section 5, chapter 149, Laws of 1984 and RCW 11.12.250 are each reenacted to read as follows:

A gift may be made by a will to a trustee of a trust executed by any trustor or testator (including a funded or unfunded life insurance trust, although the trustor has reserved any or all rights of ownership of the insurance contracts) if (1) the trust is identified in the testator's will and (2) its terms are evidenced either (a) in a written instrument other than a will, executed by the trustor prior to or concurrently with the execution of the testator's will or (b) in the will of a person who has predeceased the testator, regardless of when executed. The existence, size, or character of the corpus of the trust is immaterial to the validity of the gift. Such gift shall not be invalid because the trust is amendable or revocable, or both, or because the trust was amended after the execution of the testator's will or after the testator's death. Unless the will provides otherwise, the property so given shall not be deemed to be held under a testamentary trust of the testator but shall become a part of the trust to which it is given to be administered and disposed of in accordance with the terms of the instrument establishing the trust, including any amendments, made prior to the death of the testator, and regardless of whether made before or after the execution of the will. Unless the will provides otherwise, an express revocation of the trust prior to the testator's death invalidates the gift. Any termination of the trust other than by express revocation does not invalidate the gift. For purposes of this section, the term 'gift' includes the exercise of any testamentary power of appointment.

Sec. 3. Section 6, chapter 149, Laws of 1984 and RCW 11.12.255 are each reenacted to read as follows:

A will may incorporate by reference any writing in existence when the will is executed if the will itself manifests the testator's intent to incorporate the writing and describes the writing sufficiently to permit its identification. In the case of any inconsistency between the writing and the will, the will controls.

Sec. 4. Section 7, chapter 149, Laws of 1984 and RCW 11.12.260 are each reenacted to read as follows:

(1) A will may refer to a writing that directs disposition of tangible personal property not otherwise specifically disposed of by the will other than property used primarily in trade or business. Such a writing shall not be effective unless: (a) An unrevoked will refers to the writing, (b) the writing is either in the handwriting of, or signed by, the testator, and (c) the writing describes the items and the recipients of the property with reasonable certainty.

(2) The writing may be written or signed before or after the execution of the will and need not have significance apart from its effect upon the dispositions of property made by the will. A writing that meets the requirements of this section shall be given effect as if it were actually contained in the will itself, except that if any person designated to receive property in the writing dies before the testator, the property shall pass as further directed in the writing and in the absence of any further directions, the disposition shall lapse and RCW 11.12.110 shall not apply to such lapse.

(3) The testator may make subsequent handwritten or signed changes to any writing. If there is an inconsistent disposition of tangible personal property as between writings, the most recent writing controls.

(4) As used in this section 'tangible personal property' means articles of personal or household use or ornament, for example, furniture, furnishings, automobiles, boats, airplanes, and jewelry, as well as precious metals in any tangible form, for example, bullion or coins. The term includes articles even if held for investment purposes and encompasses tangible property that is not real property. The term does not include mobile homes or intangible property, for example, money that is normal currency or normal legal tender, evidences of indebtedness, bank accounts or other monetary deposits, documents of title, or securities.

NEW SECTION. Sec. 5. This act shall apply to wills of decedents dying after December 31, 1984.

NEW SECTION. Sec. 6. 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. 7. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, on line 3 of the title, after "11.12.260;" strike everything through "section" and insert "creating new sections"

Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, P. King, Lewis, Locke, G. Nelson, Niemi, Padden, Schmidt, Schoon, Tilly, Van Luven, West and Wang.

Absent: Representative Van Luven.

Passed to Committee on Rules for second reading.

February 20, 1985

SB 3077 Prime Sponsor, Senator Halsan: Reenacting and changing joint tenancy provisions from the Washington trust act of 1984. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, P. King, Lewis, Locke, G. Nelson, Niemi, Padden, Schmidt, Schoon, Tilly, Van Luven, West and Wang.

Absent: Representative Schmidt.

Passed to Committee on Rules for second reading.

February 20, 1985

SB 3079 Prime Sponsor, Senator Talmadge: Making technical corrections and reenacting procedural provisions from the Washington trust act of 1984. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

**NEW SECTION.** Sec. 1. The purpose of this act is to make technical corrections to chapter 149, Laws of 1984, and to ensure that the changes made in that chapter meet the constitutional requirements of Article II, section 19 of the state Constitution.

Sec. 2. Section 11.02.010, chapter 145, Laws of 1965 as amended by section 41, chapter 149, Laws of 1984 and RCW 11.96.009 are each reenacted to read as follows:

(1) The superior court shall have original jurisdiction over probates in the following instances:

- (a) When a resident of the state dies; or
- (b) When a nonresident of the state dies in the state; or
- (c) When a nonresident of the state dies outside the state.

(2) The superior court shall have original jurisdiction over trusts and trust matters.

(3) The superior courts in the exercise of their jurisdiction of matters of probate and trusts shall have power to probate or refuse to probate wills, appoint personal representatives of deceased, incompetent, or disabled persons and administer and settle all such estates, and administer and settle all trusts and trust matters, award processes and cause to come before them all persons whom they may deem it necessary to examine, and order and cause to be issued all such writs as may be proper or necessary, and do all things proper or incident to the exercise of such jurisdiction.

Sec. 3. Section 11.02.020, chapter 145, Laws of 1965 as amended by section 42, chapter 149, Laws of 1984 and RCW 11.96.020 are each reenacted to read as follows:

It is the intention of this title that the courts mentioned shall have full and ample power and authority to administer and settle all estates of decedents and incompetent and disabled persons in this title mentioned and to administer and settle all trusts and trust matters. If the provisions of this title with reference to the administration and settlement of such estates or trusts should in any cases and under any circumstances be inapplicable or insufficient or doubtful, the court shall nevertheless have full power and authority to proceed with such administration and settlement in any manner and way which to the court seems right and proper, all to the end that such estates or trusts may be by the court administered upon and settled.

Sec. 4. Section 11.02.030, chapter 145, Laws of 1965 and RCW 11.96.030 are each reenacted to read as follows:

In exercising any of the jurisdiction or powers by this title given or intended to be given, the court is authorized to make, issue and cause to be filed or served, any and all manner and kinds of orders, judgments, citations, notices, summons, and other writs and processes not inconsistent with the provisions of this title, which may be considered proper or necessary in the exercise of such jurisdiction.

Sec. 5. Section 45, chapter 149, Laws of 1984 and RCW 11.96.040 are each reenacted to read as follows:

Unless otherwise provided in the instrument creating the trust, the situs of a trust is the place where the principal place of administration of the trust is located. As used in this section, the 'principal place of administration of the trust' is the trustee's usual place of business where the day-to-day records pertaining to the trust are kept or the trustee's residence if the trustee has no such place of business.

Sec. 6. Section 46, chapter 149, Laws of 1984 and RCW 11.96.050 are each reenacted to read as follows:

For purposes of venue in proceedings involving probate or trusts and trust matters, the following shall apply:

- (1) Proceedings under Title 11 RCW pertaining to trusts shall be commenced either:

(a) In the superior court of the county in which the situs of the trust is located as provided in RCW 11.96.040;

(b) In the superior court of the county in which a trustee resides or has its principal place of business; or

(c) With respect to testamentary trusts, in the superior court of the county where letters testamentary were granted to a personal representative, and in the absence of such letters, then in any county where letters testamentary could have been granted in accordance with subsection (2) of this section.

(2) Wills shall be proven, letters testamentary or of administration granted, and other proceedings under Title 11 RCW pertaining to probate commenced, either:

(a) In the county in which the decedent was a resident at the time of death;

(b) In the county in which the decedent died, or in which any part of the estate may be, if the decedent was not a resident of this state; or

(c) In the county in which any part of the estate may be, the decedent having died out-of-state, and not having been resident in this state at the time of death.

(3) No action undertaken is defective or invalid because of improper venue if the court has jurisdiction of the matter.

Sec. 7. Section 47, chapter 149, Laws of 1984 and RCW 11.96.060 are each reenacted and amended to read as follows:

(1) Any action against the trustee of an express trust, excluding those trusts excluded from the definition of express trusts under RCW 11.98.009, but including all express trusts, whenever executed, for any breach of fiduciary duty, must be brought within three years from the earlier of (a) the time the alleged breach was discovered or reasonably should have been discovered, ~~((or))~~ (b) the discharge of a trustee from the trust as provided in RCW 11.98.040, or (c) the time of termination of the trust or the trustee's repudiation of the trust.

(2) Any action by an heir, legatee, or other interested party, to whom proper notice was given if required, against a personal representative for alleged breach of fiduciary duty must be brought prior to discharge of the personal representative.

~~(3) ((The tolling provisions of RCW 4.16.190 apply to this chapter, except that the running of the statute of limitations stated in subsection (2) of this section is not tolled if the minor, incompetent, or disabled person had a guardian ad litem or a limited or general guardian of the estate to represent the person during the probate proceeding))~~ The tolling provisions of RCW 4.16.190 apply to this chapter except that the running of any statute of limitations stated in subsection (1) or (2) of this section, or any other applicable statute of limitations for any matter that is the subject of dispute under chapter 11.96 RCW, is not tolled if the unascertained or unborn heir, beneficiary, or class of persons, or minor, incompetent, or disabled person, or person identified in RCW 11.96.170(2) or 11.96.180 whose identity or address is unknown, had a guardian ad litem, limited or general guardian of the estate, or a special representative to represent the person during the probate or dispute resolution proceeding.

(4) Notwithstanding subsections (2) and (3) of this section, any cause of action against a trustee of an express trust, as provided for in subsection (1) of this section is not barred by the statute of limitations if it is brought within three years from January 1, 1985. In addition, any action as specified in subsection (2) of this section against the personal representative is not barred by this statute of limitations if it is brought within one year of January 1, 1985.

Sec. 8. Section 48, chapter 149, Laws of 1984 and RCW 11.96.070 are each reenacted and amended to read as follows:

A trustor, grantor, personal representative, trustee, or other fiduciary, creditor, devisee, legatee, heir, or trust beneficiary interested in the administration of a trust, or the attorney general in the case of a charitable trust under RCW 11.110.120, or of the estate of a decedent, incompetent, or disabled person, may have a judicial proceeding for the declaration of rights or legal relations in respect to the trust or estate:

(1) To ascertain any class of creditors, devisees, legatees, heirs, next of kin, or others;

(2) To direct the personal representatives or trustees to do or abstain from doing any particular act in their fiduciary capacity;

(3) To determine any question arising in the administration of the estate or trust, including questions of construction of wills and other writings;

(4) To confer upon the personal representatives or trustees any necessary or desirable powers not otherwise granted in the instrument or given by law that the court determines are not inconsistent with the provisions or purposes of the will or trust;

(5) To amend or conform the will or the trust instrument in the manner required to qualify the gift thereunder for the charitable estate tax deduction permitted by federal law, including the addition of mandatory governing instrument requirements for a charitable remainder trust as required by final regulations and rulings of the United States internal revenue service, in any case in which all parties interested in the trust have submitted written agreements to the proposed changes or written disclaimer of interest; or

(6) To resolve any other matter in this title referencing this judicial proceedings section.

The provisions of this chapter apply to disputes arising in connection with estates of incompetents or disabled persons unless otherwise covered by chapters 11.88 and 11.92 RCW.

Sec. 9. Section 49, chapter 149, Laws of 1984 and RCW 11.96.080 are each reenacted to read as follows:

The court shall make an order fixing the time and place for hearing the petition. The court shall approve the form and content of the notice. Notice of hearing shall be signed by the clerk of the court.

Sec. 10. Section 11.02.060, chapter 145, Laws of 1965 as amended by section 51, chapter 149, Laws of 1984 and RCW 11.96.090 are each reenacted to read as follows:

The clerk of each of the superior courts is authorized to fix the time of hearing of all applications, petitions and reports in probate and guardianship proceedings, except the time for hearings upon show cause orders and citations and except for the time of hearings set under RCW 11.96.080. The authority herein granted is in addition to the authority vested in the superior courts and superior court commissioners.

Sec. 11. Section 53, chapter 149, Laws of 1984 and RCW 11.96.100 are each reenacted and amended to read as follows:

Subject to RCW 11.96.110, in all judicial proceedings under Title 11 RCW that require notice, such notice shall be personally served or mailed to each trustee, personal representative, heir, beneficiary including devisees, legatees, and heirs, guardian ad litem, and person having an interest in the trust or estate whose name and address are known to the petitioner at least twenty days prior to the hearing on the petition, unless otherwise provided by statute or ordered by the court under RCW 11.96.080. Proof of such service or mailing shall be made by affidavit filed at or before the hearing. In addition, notice shall also be given to the attorney general if required under RCW 11.110.120.

Sec. 12. Section 54, chapter 149, Laws of 1984 and RCW 11.96.110 are each reenacted and amended to read as follows:

Notwithstanding provisions of this chapter to the contrary, there is compliance with the notice requirements of Title 11 RCW for notice to the beneficiaries of, or persons interested in an estate or a trust, or to beneficiaries or remaindermen, including all living persons who may participate in the corpus or income of the trust or estate, if notice is given as follows:

(1) If an interest in an estate or trust has been given to persons who compose a certain class upon the happening of a certain event, notice shall be given to the living persons who would constitute the class if the event had happened immediately before the commencement of the proceeding requiring notice.

(2) If an interest in an estate or trust has been given to a living person, and the same interest, or a share in it, is to pass to the surviving spouse or to persons who are, or may be, the distributees, heirs, issue, or other kindred of that living person upon the happening of a future event, notice shall be given to that living person.

(3) Except as otherwise provided in subsection (2) of this section, if an interest in an estate or trust has been given to a person, a class of persons, or both upon the happening of any future event, and the same interest or a share of such interest is to pass to another person, class of persons, or both, upon the happening of an additional future event, notice shall be given to the living person or persons who would take the interest upon the happening of the first event.

(4) Notice shall be given to persons who would not otherwise be entitled to notice by law if a conflict of interest involving the subject matter of the trust or estate proceeding is known to exist~~((s))~~ between a person to whom notice is given and a person to whom notice need not be given under Title 11 RCW.

Any action taken by the court is conclusive and binding upon each person receiving actual or constructive notice in the manner provided in this section.

Sec. 13. Section 55, chapter 149, Laws of 1984 and RCW 11.96.120 are each reenacted to read as follows:

Nothing in this chapter eliminates the requirement to give notice to a person who has requested special notice under RCW 11.28.240 or 11.92.150.

Sec. 14. Section 56, chapter 149, Laws of 1984 and RCW 11.96.130 are each reenacted and amended to read as follows:

All issues of fact joined in probate or trust proceedings shall be tried in conformity with the requirements of the rules of practice in civil actions. The probate or trust proceeding may be commenced as a new action or as an action incidental to an existing probate or trust proceeding. Once commenced, the action may be consolidated with an existing probate or trust proceeding or converted to a separate action upon the motion of any party for good cause shown, or by the court on its own motion. ~~((if the action is incidental to an existing proceeding, all pleadings shall set forth the caption of the existing proceeding followed by an appropriate caption designating the parties to the new proceeding. The party affirming is plaintiff, and the one denying or avoiding is defendant.))~~ If a party is entitled to a trial by jury and a jury is demanded, and the issues are not sufficiently made up by the written pleadings on file, the court, on due notice, shall settle and frame the issues to be tried. If no jury is demanded, the court shall try the issues joined, and sign and file its findings and decision in writing, as provided for in civil actions. Judgment on the issue joined, as well as for costs, may be entered and enforced by execution or otherwise by the court as in civil actions.



Sec. 15. Section 57, chapter 149, Laws of 1984 and RCW 11.96.140 are each reenacted to read as follows:

Either the superior court or the court on appeal, may, in its discretion, order costs, including attorneys fees, to be paid by any party to the proceedings or out of the assets of the estate, as justice may require.

Sec. 16. Section 30.30.120, chapter 33, Laws of 1955 and RCW 11.96.150 are each reenacted to read as follows:

Nothing in RCW 6.32.250 shall forbid execution upon the income of any trust created by a person other than the judgment debtor for debt arising through the furnishing of the necessities of life to the beneficiary of such trust; or as to such income forbid the enforcement of any order of the superior court requiring the payment of support for the children under the age of eighteen of any beneficiary; or forbid the enforcement of any order of the superior court subjecting the vested remainder of any such trust upon its expiration to execution for the debts of the remainderman.

Sec. 17. Section 11.96.010, chapter 145, Laws of 1965 as amended by section 53, chapter 81, Laws of 1971 and RCW 11.96.160 are each reenacted to read as follows:

Any interested party may appeal to the supreme court or the court of appeals from any final order, judgment or decree of the court, and such appeals shall be in the manner and way provided by law for appeals in civil actions.

Sec. 18. Section 61, chapter 149, Laws of 1984 and RCW 11.96.170 are each reenacted to read as follows:

(1) If the persons listed in RCW 11.96.070 and those entitled to notice under RCW 11.96.100 and 11.96.110 agree on any matter listed in RCW 11.96.070 or any other matter in Title 11 RCW referencing this nonjudicial resolution procedure, then the agreement shall be evidenced by a written agreement executed by all necessary persons as provided in this section.

(2) If necessary, the personal representative or trustee may petition the court for the appointment of a special representative to represent a person interested in the estate or trust who is a minor, incompetent, disabled, or who is yet unborn or unascertained, or a person whose identity or address is unknown. The special representative has authority to enter into a binding agreement on behalf of the person or beneficiary. The special representative may be appointed for more than one person or class of persons if the interests of such persons or class are not in conflict. Those entitled to receive notice for persons or beneficiaries described in RCW 11.96.110 may enter into a binding agreement on behalf of such persons or beneficiaries.

(3) The special representative shall be a lawyer licensed to practice before the courts of this state or an individual with special skill or training in the administration of estates or trusts. The special representative shall have no interest in any affected estate or trust, and shall not be related to any personal representative, trustee, beneficiary, or other person interested in the estate or trust. The special representative is entitled to reasonable compensation for services which shall be paid from the principal of the estate or trust whose beneficiaries are represented. Upon execution of the written agreement, the special representative shall be discharged of any further responsibility with respect to the estate or trust.

(4) The written agreement or a memorandum summarizing the provisions of the written agreement may, at the option of any person interested in the estate or trust, be filed with the court having jurisdiction over the estate or trust. The person filing the agreement or memorandum shall within five days thereof mail a copy of the agreement and a notice of the filing to each person interested in the estate or trust whose address is known. Notice shall be in substantially the following form:

CAPTION  
OF CASE

NOTICE OF FILING OF  
AGREEMENT OR MEMORANDUM  
OF AGREEMENT

Notice is hereby given that the attached document was filed by the undersigned in the above entitled court on the ..... day of ..... 19... Unless you file a petition objecting to the agreement within 30 days of the above specified date the agreement will be deemed approved and will be equivalent to a final order binding on all persons interested in the estate or trust.

If you file and serve a petition within the period specified, you should ask the court to fix a time and place for the hearing on the petition and provide for at least a ten days' notice to all persons interested in the estate or trust.

DATED this ..... day of ..... 19...

.....  
(Party to the agreement)

(5) Unless a person interested in the estate or trust files a petition objecting to the agreement within thirty days of the filing of the agreement or the memorandum, the agreement will be deemed approved and will be equivalent to a final order binding on all persons interested in the estate or trust. If all persons interested in the estate or trust waive the notice required by this section, the agreement will be deemed approved and will be equivalent to a final order binding on all persons interested in the estate or trust effective upon the date of filing.

Sec. 19, Section 62, chapter 149, Laws of 1984 and RCW 11.96.180 are each reenacted to read as follows:

(1) The court, upon its own motion or on request of a person interested in the trust or estate, at any stage of a judicial proceeding or at any time in a nonjudicial resolution procedure, may appoint a guardian ad litem to represent the interests of a minor, incapacitated, unborn, or unascertained person, or person whose identity and address are unknown, or a designated class of persons who are not ascertained or are not in being. When not precluded by a conflict of interest, a guardian ad litem may be appointed to represent several persons or interests.

(2) For the purposes of this section, a trustee is a person interested in the trust and a personal representative is a person interested in an estate.

(3) The court appointed guardian ad litem supersedes the special representative if so provided in the court order.

(4) The court may appoint the guardian ad litem at an ex parte hearing, or the court may order a hearing as provided in RCW 11.96.070 with notice as provided in RCW 11.96.080, 11.96.100, and 11.96.110.

**NEW SECTION.** Sec. 20. 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. 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."

Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, P. King, Lewis, Locke, G. Nelson, Niemi, Padden, Schmidt, Schoon, Tilly, Van Luven, West and Wang.

Passed to Committee on Rules for second reading.

February 21, 1985

ESB 3572 Prime Sponsor, Senator McDermott: Correcting nomenclature in accounts and funds to fit generally accepted accounting procedures.  
Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with amendments.

On page 56, line 18 insert a new section as follows:

"**NEW SECTION.** Sec. 89. On and after the effective date of this act all accounts heretofore or hereafter created in the state general fund shall be designated and treated as accounts in the state treasury. Unless otherwise designated by statute, all earnings on balances of such accounts shall be credited to the general fund."

Renummer the remaining sections consecutively.

On page 1, line 17 of the title after "43.84 RCW;" insert "creating a new section:"

Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Basich, Brekke, Bristow, Hastings, Hine, Holland, Long, Madsen, G. Nelson, Niemi, Rust, Sanders, Sayan, Silver, Smitherman, Sommers, Taylor, Tilly, Vander Stoep and B. Williams.

Absent: Representatives Appelwick, Locke and Taylor.

Passed to Committee on Rules for second reading.

#### SECOND READING

HOUSE BILL NO. 153, by Representatives Armstrong, Crane, Brekke, Long, Schmidt, P. King, Winsley, S. Wilson, Bond, Van Luven, Isaacson, Ballard, Hastings, May, Holland, Hankins, Doty, Brough, Wang, J. Williams and Tanner: by Department of Social and Health Services request

Revising the enforcement of child support obligations.

The bill was read the second time.

Mr. Tilly moved adoption of the following amendment:

On page 16, after line 28, insert the following:

"Sec. 16, Section 16, chapter 157, Laws of 1973 1st ex. sess. and RCW 26.09.160 are each amended to read as follows:

(1) If a party fails to comply with a provision of a decree or temporary order of injunction, the obligation of the other party to make payments for support or maintenance or to permit visitation is not suspended(~~but he may move the court to grant an appropriate order~~) except, upon motion and after hearing, the court may order the suspension of the payment of child support to a custodial parent required by a court order if visitation is not allowed by the custodial parent in compliance with the court order under the following conditions:

(a) The custodial parent is served with a motion and order to show cause setting a hearing, not less than ten days after service of the motion and order, and requiring the custodial parent to appear and show cause why an order suspending support payments should not be entered in accordance with this section;

(b) The obligor parent is current in the child support obligation;

(c) The obligor parent continues to make full child support payments to the clerk of the court, to be held in trust; and

(d) The child support obligation is not assigned to the state under RCW 74.20.330.

(2) It is a defense to a suspension of child support sought under this section that visitation by the obligor parent would endanger a child's physical, mental, or emotional health.

(3) At any time after the entry of an order suspending support payments under this section, the custodial parent may petition the court for relief from the suspension order. The court shall grant relief from the suspension order, release the support payments held in trust to the custodial parent, and reinstate the original child support order, if the custodial parent demonstrates compliance with the visitation order and gives adequate assurances of continuing compliance, or proves existence of a violation of one of the conditions set forth in this section.

(4) If relief is not granted from the suspension order within one year of entry, the court may, upon motion of a party, enter an appropriate order disposing of the support moneys held in trust, which may include the release of the moneys to the obligor and relief of the future obligation to pay support."

Remember the remaining section consecutively.

#### POINT OF ORDER

Mr. Armstrong: "Mr. Speaker, I would like to request a ruling on scope and object of this amendment."

#### SPEAKER'S RULING

The Speaker: "The bill deals with the Office of Support Enforcement in DSHS and conformity with federal laws. The amendment deals with court orders in dissolution cases. Having looked at both, I believe it expands the scope and object of the bill. Therefore, your point, Representative Armstrong, is well taken. The amendment is ruled out of order."

#### POINT OF PERSONAL PRIVILEGE

Mr. Tilly: "I just wanted to inform the body that the problems of child support and the rights of noncustodial parents are very real problems in this state. This amendment was going to be an attempt to set up a second tier to resolve the problem. I'm sorry that we were not able to debate it and address it today. I want to let you know that I am going to continue to work on this and I would appreciate some bipartisan support on the issue."

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

HOUSE BILL NO. 168, by Representatives R. King, Jacobsen, Fisch and Appelwick

Exempting UW printing craft employees from state higher education personnel law.

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

HOUSE BILL NO. 177, by Representatives Ebersole, Taylor, Vekich, Basich, Hankins, Sutherland, Patrick, Sanders, Fisch, Winsley, S. Wilson, Kremen, Schoon, Bond, G. Nelson and Isaacson

Increasing funds available to veterans organizations for hall rental.

The bill was read the second time. On motion of Ms. Haugen, Substitute House Bill No. 177 was substituted for House Bill No. 177, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 177 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 191, by Representatives McMullen, Lundquist, Sutherland, S. Wilson, Sayan and May

Providing for rewards for information about violations of the food fish and shellfish laws.

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

HOUSE BILL NO. 261, by Representatives Ebersole, Betzoff, Peery and P. King; by Superintendent of Public Instruction request

Changing certain provisions relating to school plant facilities.

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

HOUSE BILL NO. 331, by Representatives Sommers, Prince, Jacobsen and Miller  
Revising certain laws governing higher education.

The bill was read the second time. Committee on Higher Education recommendation: Majority, do pass as amended. (For amendments, see Journal, 26th Day, February 8, 1985.)

On motion of Ms. Sommers, the committee amendments were adopted.

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

HOUSE JOINT RESOLUTION NO. 22, by Representatives Cole, R. King, Ebersole, Scott, Betzoff, Walker, Taylor, Armstrong, Jacobsen, Basich, Unsoeld, P. King, Leonard, Long, Appelwick, Vekich, Rust, Todd, D. Nelson, Belcher, Brough, Holland and Wang

Removing 40% validation requirement for excess levy elections for public schools.

The resolution was read the second time.

Mr. Barnes moved adoption of the following amendments:

On page 2, beginning on line 9 after "election;" strike all material down to and including "period;" on line 16 and insert "PROVIDED, That notwithstanding any other provisions of this constitution, any proposition pursuant to this subsection to levy additional tax for the support of the common schools may provide such support for a two year period."

On page 2, beginning on line 28 after "voting" strike all the material down to and including "FURTHER," on line 34 and insert "yes" on the proposition shall constitute three-fifths of a number equal to forty per centum of the total votes cast in such taxing district at the last preceding general election when the number of electors voting on the proposition does not exceed forty per centum of the total votes cast in such taxing district in the last preceding general election; or by a majority of at least three-fifths of the electors thereof voting on the proposition when the number of electors voting on the proposition exceeds forty percentum of the total votes cast in such taxing district in the last preceding general election; PROVIDED."

Representatives Barnes, L. Smith, Tilly and Fuhrman spoke in favor of the amendments, and Representatives Ebersole, Taylor and Cole spoke against them.

Mr. Barnes spoke again in favor of the amendments.

Ms. Silver demanded an electric roll call vote and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Barnes to House Joint Resolution No. 22, and the amendments were not adopted by the following vote: Yeas, 34; nays, 62; excused, 2.

Voting yea: Representatives Addison, Ballard, Barnes, Baugher, Bond, Bristow, Brooks, Dobbs, Doty, Fuhrman, Hankins, Hargrove, Hastings, Isaacson, Lundquist, May, Nealey, Nelson G. Padden, Patrick, Sanders, Schmidt, Silver, Smith C, Smith L, Thomas, Tilly, van Dyke, Van Luven, West, Williams B, Williams J, Wilson S, Zellinsky - 34.

Voting nay: Representatives Allen, Appelwick, Armstrong, Barrett, Basich, Belcher, Betzoff, Braddock, Brekke, Brough, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Haugen, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis,

Locke, Long, Lux, Madsen, McMullen, Miller, Nelson D, Niemi, Nutley, O'Brien, Peery, Prince, Rayburn, Rust, Sayan, Schoon, Scott, Smitherman, Sommers, Sutherland, Tanner, Taylor, Todd, Unsoeld, Valle, Vander Stoep, Vekich, Walk, Walker, Wang, Wilson K, Wineberry, Winsley, and Mr. Speaker - 62.

Excused: Representatives Chandler, Hine - 2.

Mr. Addison moved adoption of the following amendments:

On page 1, line 27 after "at a" strike "special" and insert "~~((special))~~ primary"

On page 1, line 27 after "the" strike "regular" and insert "~~((regular))~~ general"

Mr. Addison spoke in favor of the amendments, and Representatives Ebersole and Doty spoke against them.

The amendments were not adopted.

House Joint Resolution No. 22 was passed to Committee on Rules for third reading.

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

#### MOTIONS

On motion of Mr. J. King, HOUSE BILL NO. 827 was rereferred from Committee on Commerce & Labor to Committee on State Government.

On motion of Mr. J. King, HOUSE BILL NO. 1131 was rereferred from Committee on State Government to Committee on Ways & Means.

#### MOTION

On motion of Mr. J. King, the House adjourned until 10:30 a.m., Wednesday, February 27, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk

## FORTY-FIFTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, February 27, 1985.

The House was called to order at 10:30 a.m. by the Speaker. The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Dena McCormick and Billi Jo Sherman. Prayer was offered by Very Reverend Father Josef Stanichar, St. Cyril and Methodius Byzantine Rite of the Catholic Church.

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

## MESSAGE FROM THE SENATE

February 25, 1985

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 3182.

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## INTRODUCTION AND FIRST READING

ESSB 3182 by Committee on Ways & Means (originally sponsored by Senators Bauer, Wojahn, Gaspard, Halsan and Kreidler)

Allowing reentering public employees to restore withdrawn contributions to retirement system.

Referred to Committee on Ways & Means.

## REPORTS OF STANDING COMMITTEES

February 21, 1985

HB 84 Prime Sponsor, Representative Grimm: Authorizing school districts to self-fund their employees' loss of time and health benefits. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Basich, Brekke, Bristow, Hastings, Hine, Holland, J. King, Long, Madsen, G. Nelson, Niemi, Rust, Sanders, Sayan, Silver, L. Smith, Smitherman, Sommers, Taylor, Tilly, Vander Stoep and B. Williams.

Absent: Representatives Appelwick, Locke, Madsen and Niemi.

Passed to Committee on Rules for second reading.

February 25, 1985

HB 89 Prime Sponsor, Representative Sutherland: Relating to game. (t.o.) Reported by Committee on Rules

Referred to Committee on Natural Resources.

February 21, 1985

HB 98 Prime Sponsor, Representative B. Williams: Abolishing the gambling revolving fund, the lottery revolving fund, and the state lottery fund. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Basich, Brekke, Hastings, Hine, J. King, Madsen, G. Nelson, Niemi, Rust,

Sanders, Sayan, Silver, L. Smith, Smitherman, Sommers, Taylor, Tilly, Vander Stoep and B. Williams.

Absent: Representatives J. King, Locke and L. Smith.

Passed to Committee on Rules for second reading.

February 25, 1985

HB 136 Prime Sponsor, Representative Unsoeld: Controlling dangerous wastes that had household uses. Reported by Committee on Rules

Referred to Committee on Ways & Means with proposed substitute.

February 26, 1985

HB 179 Prime Sponsor, Representative Belcher: Requiring a migratory waterfowl stamp to hunt migratory waterfowl. Reported by Committee on Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Basich, Belcher, Cole, Dobbs, Fuhrman, Haugen, Leonard, Lundquist, McMullen, D. Nelson, Sanders, Sayan, Thomas, van Dyke, J. Williams and S. Wilson.

Voting nay: Representative Hargrove.

Absent: Representative Hankins.

Passed to Committee on Rules for second reading.

February 22, 1985

HB 189 Prime Sponsor, Representative Madsen: Modifying provisions relating to property tax levies by fire protection districts. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Allen, Bristow, Brough, Doty, Ebersole, Hine, May, Patrick, Rayburn, Smitherman, Winsley and Zellinsky.

Absent: Representatives Allen and Isaacson.

Passed to Committee on Rules for second reading.

February 25, 1985

HB 205 Prime Sponsor, Representative Lux: Authorizing a limited offering exemption to the securities act. Reported by Committee on Rules

Referred to Committee on Ways & Means.

February 21, 1985

HB 254 Prime Sponsor, Representative Grimm: Requiring permits and inspections for the operation of amusement rides. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Wang, Chair; Betzoff, Chandler, Ebersole, Fisch, Fisher, R. King, O'Brien, Patrick, Sayan, C. Smith, Walker and J. Williams.

Passed to Committee on Rules for second reading.

February 22, 1985

HB 280 Prime Sponsor, Representative Wang: Specifying circumstances under which the time limitations for bringing industrial insurance claims do not apply. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Betzoff, Ebersole, Fisch, Fisher, R. King, O'Brien, Patrick, Sayan, C. Smith and Walker.

Absent: Representatives Chandler and J. Williams.

Passed to Committee on Rules for second reading.

February 22, 1985

HB 343 Prime Sponsor, Representative D. Nelson: Requiring manufacturers to disclose products with formaldehyde. Reported by Committee on Energy & Utilities

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong, Barnes, Jacobsen, Long, Madsen and Unsoeld.

Voting nay: Representatives Bond, Isaacson, Miller, Nealey and Van Luven.

Absent: Representatives Gallagher and Sutherland.

Passed to Committee on Rules for second reading.

February 25, 1985

HB 348 Prime Sponsor, Representative Locke: Revising sentencing provisions. Reported by Committee on Rules

Referred to Committee on Ways & Means with proposed substitute.

February 25, 1985

HB 366 Prime Sponsor, Representative Grimm: Providing for instruction in Spanish and Japanese in grades one through six. Reported by Committee on Rules

Referred to Committee on Ways & Means with proposed substitute.

February 25, 1985

HB 471 Prime Sponsor, Representative Bristow: Establishing a matching grant program for conservation districts. Reported by Committee on Rules

Referred to Committee on Ways & Means.

February 26, 1985

HB 479 Prime Sponsor, Representative Appelwick: Authorizing state park passes and fishing licenses for disabled persons. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Basich, Belcher, Cole, Dobbs, Fuhrman, Hargrove, Haugen, Leonard, Lundquist, McMullen, D. Nelson, Sanders, Sayan, Thomas, van Dyke, J. Williams and S. Wilson.

Absent: Representative Hankins.

Passed to Committee on Rules for second reading.

February 25, 1985

HB 500 Prime Sponsor, Representative Brekke: Revising certain coverages of medical care programs. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass. Signed by Representatives Brekke, Chair; Day, Vice Chair; Armstrong, Ballard, Braddock, Brooks, Dellwo, Dobbs, Leonard, Lewis, Lux, Padden, Scott, Tanner, West, S. Wilson and Winsley.

Absent: Representative Lux.

Referred to Committee on Ways & Means.

February 25, 1985

HB 547 Prime Sponsor, Representative Walker: Relating to the observance of Veterans' Day in the common schools. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ebersole, Chair; Appelwick, Betzoff, Cole, Holland, P. King, Long, Peery, Rayburn, Rust, L. Smith, Taylor, Todd, Walker and Wang.



Voting nay: Representative Schoon.

Absent: Representatives Valle, Vice Chair; Chandler.

Passed to Committee on Rules for second reading.

February 22, 1985

HB 563 Prime Sponsor, Representative Fisch: Providing an oral history program. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Belcher, Chair; Peery, Vice Chair; Baugher, Brooks, Hankins, O'Brien, Taylor, Todd, van Dyke, Vekich and Walk.

Absent: Representative Fuhrman.

Referred to Committee on Ways & Means.

February 26, 1985

HB 575 Prime Sponsor, Representative Fisher: Authorizing payroll deductions for political contributions by public transportation employees. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: Do pass. Signed by Representatives Fisher, Chair; Leonard, Vice Chair; Day, Fisch, Madsen and Sommers.

MINORITY recommendation: Do not pass. Signed by Representatives Barnes, Miller, Nealey and Walker.

Voting nay: Representative Barnes, Barrett, Miller, Nealey and Walker.

Passed to Committee on Rules for second reading.

February 25, 1985

HB 587 Prime Sponsor, Representative Grimm: Establishing additional requirements for teacher preparation and certification. Reported by Committee on Education

MAJORITY recommendation: The Substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ebersole, Chair; Appelwick, Betzoff, Cole, Fuhrman, Holland, P. King, Long, Peery, Rayburn, Rust, Schoon, L. Smith, Taylor, Todd, Walker and Wang.

Absent: Representatives Valle, Vice Chair and Chandler.

Passed to Committee on Rules for second reading.

February 26, 1985

HB 593 Prime Sponsor, Representative Armstrong: Removing provisions for administrative revocation of drivers' licenses for all alcohol violations and restoring provisions allowing revocation for breathalyzer refusal. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Appelwick, Crane, Dellwo, Hargrove, P. King, Lewis, Locke, G. Nelson, Niemi, Schmidt, Van Luven, West and Wang.

Voting nay: Representative Locke.

Absent: Representatives Padden and Schoon.

Passed to Committee on Rules for second reading.

February 22, 1985

HB 602 Prime Sponsor, Representative Nutley: Requiring plat to meet standards established by engineering service division. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Allen, Bristow, Brough, Doty, Ebersole, Hine, May, Patrick, Rayburn, Smitherman, Winsley and Zellinsky.

Absent: Representatives Allen and Isaacson.

Passed to Committee on Rules for second reading.

February 22, 1985

HB 612 Prime Sponsor, Representative Belcher: Adding an appointee of the director of financial management to the records committee. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Belcher, Chair; Peery, Vice Chair; Baugher, Brooks, Hankins, O'Brien, Sanders, Taylor, Todd, van Dyke, Vekich and Walk.

Absent: Representative Fuhrman.

Passed to Committee on Rules for second reading.

February 25, 1985

HB 629 Prime Sponsor, Representative Cole: Modifying requirements for elections for general obligation bonds for capital purposes. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Ebersole, Chair; Appelwick, Betzoff, Cole, Fuhrman, Holland, P. King, Long, Peery, Rayburn, Rust, Schoon, L. Smith, Taylor, Todd, Walker and Wang.

Absent: Representatives Valle, Vice Chair and Chandler.

Passed to Committee on Rules for second reading.

February 26, 1985

HB 652 Prime Sponsor, Representative Wang: Establishing a pilot project on health care for the unemployed. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Betzoff, Chandler, Ebersole, Fisch, Fisher, R. King, O'Brien, Patrick, Sayan, C. Smith and Walker.

Voting nay: Representative J. Williams.

Referred to Committee on Ways & Means.

February 25, 1985

HB 677 Prime Sponsor, Representative Lux: Authorizing public debts to be assigned to a collection agency seven days after notice. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Barrett, Crane, Dellwo, P. King, Locke, Nutley, Prince, West and Winsley.

Absent: Representatives Grimm and Holland.

Passed to Committee on Rules for second reading.

February 25, 1985

HB 690 Prime Sponsor, Representative Belcher: Providing for transfer of credit in state patrol retirement system to public employees' retirement system. Reported by Committee on Rules

Referred to Committee on Ways & Means with proposed substitute.

February 25, 1985

HB 741 Prime Sponsor, Representative Hine: Re-establishing the Puget Sound water quality authority. Reported by Committee on Rules

Referred to Committee on Ways & Means with proposed substitute.

February 25, 1985

HB 863 Prime Sponsor, Representative Kremen: Funding transportation improvements necessitated by planned economic development. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walk, Chair; Wineberry, Vice Chair; Baugher, Fisch, Fisher, Gallagher, Haugen, Kremen, McMullen, Sutherland, Tanner, Valle, K. Wilson and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representatives Betzoff, Brough, Lundquist, Patrick, Prince, Schmidt, C. Smith, Thomas, Van Luven and J. Williams.

Absent: Representatives Bond and Hankins.

Passed to Committee on Rules for second reading.

February 25, 1985

HB 864 Prime Sponsor, Representative Walk: Allocating a portion of motor vehicle excise taxes deposited in the general fund to the state patrol highway account. Reported by Committee on Rules

Referred to Committee on Ways & Means.

February 26, 1985

HB 958 Prime Sponsor, Representative McMullen: Transferring certain trust lands to the parks and recreation commission. Reported by Committee on Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Basich, Belcher, Cole, Dobbs, Fuhrman, Hargrove, Haugen, Leonard, Lundquist, McMullen, D. Nelson, Sanders, Sayan, van Dyke, J. Williams and S. Wilson.

Absent: Representatives Dobbs, Hankins, Hargrove and Thomas.

Passed to Committee on Rules for second reading.

February 25, 1985

HB 974 Prime Sponsor, Representative Rust: Modifying provisions on acid rain. Reported by Committee on Rules

Referred to Committee on Ways & Means.

February 26, 1985

HB 1021 Prime Sponsor, Representative Vekich: Providing civil penalties and enforcement for violations of certain pesticide control laws. Reported by Committee on Agriculture

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Baugher, Vice Chair; Ballard, Bristow, Brooks, Chandler, Kremen, Madsen, Nealey and Peery.

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

Passed to Committee on Rules for second reading.

February 25, 1985

HB 1078 Prime Sponsor, Representative P. King: Providing an early childhood assistance program. Reported by Committee on Rules

Referred to Committee on Ways & Means with proposed substitute.

February 25, 1985

HB 1079 Prime Sponsor, Representative Peery: Authorizing sales tax deferrals for investment projects. Reported by Committee on Rules

Referred to Committee on Ways & Means with proposed substitute.

February 22, 1985

HB 1183 Prime Sponsor, Representative Wang: Providing for special programs to assist the unemployed and underemployed. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Betrozoff, Ebersole, Fisch, Fisher, R. King, O'Brien, Patrick, Sayan and Walker.

MINORITY recommendation: Do not pass. Signed by Representative C. Smith.

Absent: Representatives Chandler and J. Williams.

Referred to Committee on Ways & Means.

February 26, 1985

HB 1195 Prime Sponsor, Representative Addison: Directing state agencies to establish flexible-time work schedules for employees. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Belcher, Chair; Peery, Vice Chair; Baugher, Brooks, Fuhrman, O'Brien, Sanders, van Dyke, Vekich and Walk.

Absent: Representatives Hankins, Taylor and Todd.

Passed to Committee on Rules for second reading.

February 25, 1985

HB 1232 Prime Sponsor, Representative Haugen: Relating to water and sewer districts. (t.o.) Reported by Committee on Rules

Referred to Committee on Local Government.

February 25, 1985

HB 1234 Prime Sponsor, Representative Vekich: Relating to agricultural marketing. (t.o.) Reported by Committee on Rules

Referred to Committee on Agriculture.

February 25, 1985

HB 1235 Prime Sponsor, Representative Wang: Relating to implementation of the recommendations of the Joint Select Committee on Workers' Compensation. (t.o.) Reported by Committee on Rules

Referred to Committee on Commerce & Labor.

February 25, 1985

HB 1301 Prime Sponsor, Representative D. Nelson: Relating to natural resources. (t.o.) Reported by Committee on Rules

Referred to Committee on Natural Resources.

February 26, 1985

HJR 18 Prime Sponsor, Representative Locke: Ratifying the U.S. constitutional amendment giving voting rights to the District of Columbia. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: Do pass. Signed by Representatives Fisher, Chair; Leonard, Vice Chair; Day, Fisch, Madsen and Sommers.

MINORITY recommendation: Do not pass. Signed by Representatives Barnes, Miller, Nealey and Walker.

Absent: Representative Barrett.

Passed to Committee on Rules for second reading.

February 25, 1985

SSB 3781 Prime Sponsor, Committee on Transportation: Authorizing state patrol sergeant and lieutenant examinations to be held every two years. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Wineberry, Vice Chair; Baugher, Betzoff, Bond, Brough, Fisch, Fisher, Gallagher, Haugen, Kremen, Lundquist, McMullen, Patrick, Prince, Schmidt, Sutherland, Tanner, Thomas, Valle, Van Luven, J. Williams, K. Wilson and Zellinsky.

Absent: Representatives Hankins, Lundquist, C. Smith and J. Williams.

Passed to Committee on Rules for second reading.

#### SECOND READING

HOUSE BILL NO. 15, by Representatives Fisch, Winsley, Wang, Gallagher, Hankins, Belcher, Allen, Isaacson and Sayan

Modifying provisions relating to security for the payment of the prevailing wages under public works contracts.

The bill was read the second time. On motion of Ms. Haugen, Substitute House Bill No. 15 was substituted for House Bill No. 15, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 15 was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 15, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute House 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.

HOUSE BILL NO. 43, by Representatives Lux, Winsley, Zellinsky and Prince

Requiring insurers to file their annual statement convention blank.

The bill was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 43, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

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

HOUSE BILL NO. 68, by Representatives Dellwo, Padden, Day, Taylor, Scott, Brekke, Braddock, Silver, Barrett, Belcher, West and Isaacson

Providing additional requirements for the storage and cremation of human remains.

The bill was read the second time. On motion of Mr. Dellwo, Substitute House Bill No. 68 was substituted for House Bill No. 68, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 68 was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Dellwo and Padden spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 68, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute House 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.

HOUSE BILL NO. 114, by Representatives Fisch, Schoon, Gallagher, Long, J. Williams, Winsley, P. King, Tanner, Isaacson, van Dyke, Dobbs, May, Fisher and Silver

Prohibiting alteration and use of official election materials in political campaigns.

The bill was read the second time. On motion of Ms. Fisher, Substitute House Bill No. 114 was substituted for House Bill No. 114, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 114 was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 114, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute 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. 156, by Representatives Winsley, Dellwo, Schoon, May, Holland and Wang; by Department of Licensing request

Revising provisions relating to driver's financial responsibility.

The bill was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 156, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

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. 213, by Representatives Haugen, Smitherman, O'Brien and Isaacson

Modifying port commissioners' insurance.

The bill was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Haugen spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 213, and the bill passed the House by the following vote: Yeas, 96; nays, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representatives Miller, Walker - 2.

House 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.

HOUSE BILL NO. 228, by Representatives Peery, Sutherland, Madsen, Nutley, J. King, Baugher, Schoon, Day, Sanders, West, Lewis, Fuhrman, Miller, G. Nelson, J. Williams, Lundquist, L. Smith, van Dyke, May, Bond, Valle, Fisch, Ballard, Taylor and Isaacson

Exempting from registration small craft used on those waters not subject to federal jurisdiction.

The bill was read the second time. Committee on Transportation recommendation: Majority, do pass as amended. (For amendments, see Journal, 33rd Day, February 15, 1985.)

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

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

HOUSE BILL NO. 246, by Representatives Day, Vander Stoep, Brekke, Jacobsen, Lux, Unsoeld, D. Nelson, Armstrong, Dellwo, Niemi, Appelwick, Padden, Taylor, Lewis, Cole, Lundquist, May, Silver and Isaacson.

Prohibiting nursing homes from discriminating against medical assistance recipients.

The bill was read the second time. On motion of Mr. Day, Substitute House Bill No. 246 was substituted for House Bill No. 246, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 246 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 279, by Representatives Haugen, S. Wilson, Ballard, Fisch, Isaacson, Leonard and Day

Extending confidentiality privilege to cover meetings of public hospital commissions when discussing specified status of health care providers.

The bill was read the second time. On motion of Ms. Haugen, Substitute House Bill No. 279 was substituted for House Bill No. 279, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 279 was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 279, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J. King P. King R. Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D. Nelson G. Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C. Smith L. Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute 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.



HOUSE BILL NO. 310, by Representatives Fisch, Dellwo, Day, Gallagher, Wang, Patrick and Lewis

Permitting wagering under certain circumstances.

The bill was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 310, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

House 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.

HOUSE BILL NO. 490, by Representatives Walk, Schmidt, Van Luven, Wineberry, Gallagher and J. Williams; by Governor request

Adopting the supplemental transportation budget.

The bill was read the second time. On motion of Mr. Walk, Substitute House Bill No. 490 was substituted for House Bill No. 490, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 490 was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Walk, Lux and Schmidt spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 490, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 490, having received the 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

ENGROSSED SUBSTITUTE HOUSE BILL NO. 62, by Committee on Environmental Affairs (originally sponsored by Representatives Valle, Allen, Rust, Patrick, Sommers, Isaacson, Haugen, Silver, Lux, Nealey, D. Nelson, Lewis, Leonard, Holland, Appelwick, Ebersole, Brekke, Sanders, Jacobsen, Bond, Unsoeld, Braddock, R. King, Wineberry, Todd, Chandler, Dellwo, Locke, Grimm, Brough, Van Luven, Betzoff, Long, Dobbs and Tanner)

Prohibiting smoking in certain public places.

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

Representatives Valle and Allen spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 62, and the bill passed the House by the following vote: Yeas, 92; nays, 6.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 92.

Voting nay: Representatives Baugher, Fuhrman, Gallagher, Thomas, Williams J, Wilson S - 6.

Engrossed Substitute House Bill No. 62, having received the 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. 274, by Committee on Natural Resources (originally sponsored by Representatives Sanders, Leonard, J. Williams, Cole, Fuhrman, Dobbs, Lundquist, Sutherland and Isaacson)

Revising the requirements of a conservation license.

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

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 274, and the bill passed the House by the following vote: Yeas, 82; nays, 16.

Voting yea: Representatives Addison, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Hankins, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Leonard, Lewis, Long, Lux, Madsen, May, McMullen, Nealey, Nelson D, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Vander Stoep, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wineberry, Winsley, Zellinsky - 82.

Voting nay: Representatives Allen, Bond, Cole, Dobbs, Grimm, Hargrove, Kremen, Locke, Lundquist, Miller, Nelson G, Smith L, Van Luven, West, Wilson S, and Mr. Speaker - 16.

Substitute 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.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 32, by Committee on Commerce & Labor (originally sponsored by Representatives R. King, Fisch, Miller, Wang, Winsley, Allen, Fisher, O'Brien, P. King, Sayan, Basich, McMullen, Lux, Brekke and Rayburn)

Providing collective bargaining for institutions of higher education.

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

Representatives R. King, Fisch, Jacobsen, Wang and K. Wilson spoke in favor of the bill, and Representatives Vander Stoep, Taylor, G. Nelson, Sommers, Prince and Lundquist spoke against it.

Mr. Taylor again opposed passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 32, and the bill passed the House by the following vote: Yeas, 57; nays, 41.

Voting yea: Representatives Allen, Appelwick, Armstrong, Barrett, Basich, Baugher, Belcher, Braddock, Brekke, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Hine, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, Madsen, McMullen, Miller, Nelson D, Niemi, Tutley, O'Brien, Patrick, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, and Mr. Speaker - 57.

Voting nay: Representatives Addison, Ballard, Barnes, Betzozoff, Bond, Bristow, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hastings, Haugen, Holland, Long, Lundquist, May, Nealey, Nelson G, Padden, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Sommers, Taylor, Thomas, Tily, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Zellinsky - 41.

Engrossed Substitute House Bill No. 32, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 85-22, by Representatives Fisch and Hargrove

WHEREAS, Matt Dryke from Sequim, Washington won the gold medal at the 1984 Olympics in the international skeet shooting competition; and

WHEREAS, Matt, who won his first Junior National Championship at the age of eight, has shown great perseverance in continually improving his skill; and

WHEREAS, Since his first championship, Matt Dryke has proven his skill in competitions all over the world, winning second place in the Pan American games in 1979, achieving first place in the United States Championships five times in six years, and becoming the world's best exhibition shooter and a gold medalist in the Pan American games in 1983; and

WHEREAS, Continuing to surpass his earlier achievements, in 1984 Matt won the championship in world class international skeet shooting and became the first person ever to have a perfect score; and

WHEREAS, Matt Dryke owes his success to his father Chuck Dryke who was his instructor; and

WHEREAS, Matt, who is presently serving as an instructor in the United States Army's Marksmanship Unit, is training for the 1988 Olympics and hoping to become a two-time record holder;

NOW, THEREFORE, BE IT RESOLVED, By the members of the House of Representatives of the State of Washington, That Matt Dryke be honored for his remarkable achievements in the sport of international skeet shooting and be encouraged in his future endeavors; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives transmit copies of this Resolution to Matt Dryke and to his father Chuck Dryke.

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

HOUSE FLOOR RESOLUTION NO. 85-23, by Representatives Winsley and Walker

WHEREAS, The boys' swim team of Lakes High School in Lakewood is the 1985 State Class AAA Champion; and

WHEREAS, This is the second consecutive championship for Lakes High School; and

WHEREAS, The swimmers showed their fellow students and the entire community what can be accomplished through team effort; and

WHEREAS, The young men on the team have exhibited athletic skill and sportsmanship admired by all citizens; and

WHEREAS, These young men and their coaches have set an example to be exemplified by all;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington recognize and honor the achievements of the young men of the Lakes Lancers swim team; and

BE IT FURTHER RESOLVED, That copies of this Resolution be transmitted by the Chief Clerk of the House of Representatives to Michael Stauffer, coach of the Lancers; tri-captains Steve Brown, Eric DeFrancisco and Scott Roberts; and team members Dan Balderson, Tom Beck, Greg Fulton and Joe Watts.

On motion of Ms. Winsley, the resolution was adopted.

HOUSE FLOOR RESOLUTION NO. 85-25, by Representatives Sayan, Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Ehlers, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, J. King, P. King, R. King, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, D. Nelson, G. Nelson, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Schmidt, Schoon, Scott, Silver, C. Smith, L. Smith, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Vander Stoep, van Dyke, Van Loven, Vekich, Walk, Walker, Wang, West, B. Williams, J. Williams, K. Wilson, S. Wilson, Wineberry, Winsley and Zöllinsky

WHEREAS, The people of the State of Washington, in the spirit of centennial, wish to accord recognition and honor to Washingtonians who have served their State well; and

WHEREAS, Francis Pearson, 1909-1984, pursued a brilliant career in service to the State of Washington in spite of being totally blind; and

WHEREAS, His blindness, which struck during the 1955 session of the Legislature, did not deter him from carrying out legislative responsibilities through his amazing ability to retain all matter which was read to him; and

WHEREAS, Francis Pearson, after service in the House of Representatives (1937-1947) and service in the State Senate (1947-1957), went on to be appointed by Governor Albert D. Rosellini to the Utilities and Transportation Commission of which he became chairman; and

WHEREAS, Francis Pearson, by virtue of his ability to retain volumes of laws and rules relating to utilities regulation, received national recognition from the National Association of Regulatory Utilities Commissioners;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the House of Representatives does accord grateful recognition to this remarkable native son, Francis Pearson, and appreciation for extraordinary services rendered; and

BE IT FURTHER RESOLVED, That a copy of this Resolution be sent by the Chief Clerk of the House of Representatives to Mrs. Betty Pearson.

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

#### MOTION

On motion of Mr. J. King, HOUSE BILL NO. 273 was rereferred from Committee on Transportation to Committee on Ways & Means.

#### MOTION

On motion of Mr. J. King, the House was adjourned until 10:00 a.m., Friday, March 1, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk

FORTY-SEVENTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Friday, March 1, 1985.

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

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Erik Hoffman and Steven Lundberg. Prayer was offered by Dr. Mary Ann Swenson, Methodist Office in Everett.

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

MESSAGE FROM THE SENATE

February 27, 1985

Mr. Speaker:

The Senate has passed:

HOUSE JOINT RESOLUTION NO. 12,  
 SENATE BILL NO. 3093,  
 ENGROSSED SENATE BILL NO. 3189,  
 ENGROSSED SENATE BILL NO. 3273,  
 SUBSTITUTE SENATE BILL NO. 3438,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTIONS AND FIRST READING

HCR 11 by Representatives Schoon, Grimm, B. Williams, L. Smith, Tanner, J. King, Nutley and Peery

Establishing a Washington-Oregon joint committee.

Referred to Committee on Rules.

SB 3093 by Senators Talmadge, Newhouse, Halsan, McCaslin, Hayner and Metcalf

Revising provisions relating to theft.

Referred to Committee on Judiciary.

ESB 3189 by Senators Thompson, Granlund, Kreidler, McManus, DeJarnatt, Garrett and Vognild

Allowing payroll deductions for political action committees of public employee organizations.

Referred to Committee on Constitution, Elections & Ethics.

ESB 3273 by Senators Goltz, Zimmerman, Bauer, McCaslin and Talmadge

Modifying terms and procedures for the delivery of mutual aid services between law enforcement agencies.

Referred to Committee on Local Government.

SSB 3438 by Committee on Energy & Utilities (originally sponsored by Senators Williams, Benitz, McCaslin, Bailey, Saling and Stratton; by Washington State Energy Office request)

Extending the governors powers to declare energy emergencies.

Referred to Committee on Energy & Utilities.

## MOTION

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

## REPORTS OF STANDING COMMITTEES

February 25, 1985

HB 39 Prime Sponsor, Representative Lux: Making miscellaneous changes to the insurance code. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Addison, Barrett, Crane, P. King, Locke, Nutley, Prince, West and Winsley.

Absent: Representatives Grimm and Holland.

Passed to Committee on Rules for second reading.

February 25, 1985

HB 42 Prime Sponsor, Representative Lux: Authorizing an apportionment plan for property insurance applicants who are unable to procure insurance through ordinary methods. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Barrett, Crane, Dellwo, P. King, Locke, Nutley, Prince and Winsley.

Voting nay: Representatives Addison, Locke and West.

Absent: Representatives Grimm and Holland.

Passed to Committee on Rules for second reading.

February 28, 1985

HB 89 Prime Sponsor, Representative Sutherland: Relating to game. Reported by Committee on Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Basich, Belcher, Cole, Hargrove, Haugen, Leonard, McMullen, D. Nelson, Sanders, Sayan, van Dyke and J. Williams.

MINORITY recommendation: Do not pass. Signed by Representatives Dobbs and Fuhrman.

Absent: Representatives Lundquist, D. Nelson and J. Williams.

Referred to Committee on Ways & Means.

February 26, 1985

HB 112 Prime Sponsor, Representative Brekke: Authorizing petitions to the courts for disclosure of identity of adoptees and parents. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Crane, Dellwo, Hargrove, P. King, Lewis, Locke, G. Nelson, Schmidt, Schoon, West and Wang.

MINORITY recommendation: Do not pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Niemi and Tilly.

Voting nay: Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Niemi, Tilly and Van Luven.

Absent: Representative Padden.

Passed to Committee on Rules for second reading.

February 27, 1985

HB 116 Prime Sponsor, Representative Belcher: Requiring that seniority determine salary increases, layoffs, and rehiring of state employees; that ratio of management and direct service employees be maintained; and providing mobility between personnel systems. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendments:

- On page 6, line 30 after "+984:))" strike "A" and insert "The"
- On page 6, line 31 after "procedure" strike "shall be instituted and"
- On page 7, line 7 after "adopt" strike "and enforce"
- On page 7, line 12 after "adopt" strike "and enforce"
- On page 7, line 14 after "section" strike "6" and insert "5"
- On page 14, line 16 after "adopt" strike "and enforce"
- On page 14, line 21 after "adopt" strike "and enforce"

Signed by Representatives Belcher, Chair; Peery, Vice Chair; Baugher, O'Brien, Todd, Vekich and Walk.

MINORITY recommendation: Do not pass. Signed by Representatives Fuhrman, Hankins, Sanders, Taylor and van Dyke.

Absent: Representative Brooks.

Passed to Committee on Rules for second reading.

February 26, 1985

HB 127 Prime Sponsor, Representative Sutherland: Empowering wildlife agents and fisheries patrol officers to enforce state traffic and criminal laws. Reported by Committee on Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Basich, Belcher, Cole, Hargrove, Haugen, Leonard, Lundquist, McMullen, D. Nelson, Sanders and van Dyke.

MINORITY recommendation: Do not pass. Signed by Representatives Dobbs, Fuhrman, Sayan, Thomas and J. Williams.

Absent: Representative Hankins.

Passed to Committee on Rules for second reading.

February 26, 1985

HB 138 Prime Sponsor, Representative Locke: Modifying provisions relating to crime victims' compensation. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, P. King, Lewis, Locke, G. Nelson, Niemi, Schmidt, Schoon, Tilly, Van Luven, West and Wang.

Absent: Representative Padden.

Referred to Committee on Ways & Means.

February 27, 1985

HB 188 Prime Sponsor, Representative Madsen: Revising provisions to require removal of repossessed mobile homes from mobile home parks. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, P. King, Lewis, Locke, G. Nelson, Niemi, Padden, Schmidt, Schoon, Tilly, Van Luven, West and Wang.

Passed to Committee on Rules for second reading.

February 26, 1985

HB 192 Prime Sponsor, Representative Fisher: Limiting campaign contributions. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fisher, Chair; Leonard, Vice Chair; Day, Fisch, Madsen, Miller and Sommers.

MINORITY recommendation: Do not pass. Signed by Representatives Barnes, Nealey and Walker.

Absent: Representative Barrett.

Passed to Committee on Rules for second reading.

February 27, 1985

HB 222 Prime Sponsor, Representative Wineberry: Creating a state holiday observing the birth of Martin Luther King, Jr. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 9 after "Jr.;" strike everything down to and including "Washington" on line 11 and insert "~~((the twelfth day of February, being the anniversary of the birth of Abraham Lincoln; the third Monday of February, being celebrated as the anniversary of the birth of George Washington))~~ the third Monday of February to be known as Presidents' Day and to be celebrated as the anniversary of the births of Abraham Lincoln and George Washington"

Signed by Representatives Belcher, Chair; Peery, Vice Chair; Baugher, Hankins, O'Brien, Todd and Vekich.

MINORITY recommendation: Do not pass. Signed by Representatives Fuhrman, Sanders and van Dyke.

Voting nay: Representatives Fuhrman, Sanders, Taylor, van Dyke and Walk.

Absent: Representative Brooks.

Passed to Committee on Rules for second reading.

February 26, 1985

HB 232 Prime Sponsor, Representative Ebersole: Establishing groundwater management plan procedures and advisory committee. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Unsoeld, Vice Chair; Allen, Barnes, Brekke, Brough, Jacobsen, R. King, Lewis, Lux, May, Nutley and Valle.

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

Absent: Representative Bond.

Passed to Committee on Rules for second reading.

February 27, 1985

HB 317 Prime Sponsor, Representative Niemi: Changing provisions relating to personal services contracts. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Belcher, Chair; Peery, Vice Chair; Baugher, Fuhrman, Hankins, O'Brien, Sanders, Taylor, Todd, van Dyke, Vekich and Walk.

Absent: Representative Brooks.

Passed to Committee on Rules for second reading.

February 25, 1985

HB 356 Prime Sponsor, Representative Brekke: Changing provisions relating to reimbursement for social and health services. Reported by Committee on Social & Health Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Brekke, Chair; Day, Vice



Chair; Armstrong, Ballard, Brooks, Dellwo, Dobbs, Leonard, Lewis, Lux, Padden, Scott, Tanner, West, S. Wilson and Winsley.

Absent: Representative Braddock.

Referred to Committee on Ways & Means.

February 27, 1985

HB 419 Prime Sponsor, Representative Leonard: Establishing custody and access to voter registration records. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: Do pass. Signed by Representatives Fisher, Chair; Leonard, Vice Chair; Barnes, Barrett, Day, Fisch, Madsen, Miller, Nealey, Sommers and Walker.

Passed to Committee on Rules for second reading.

February 26, 1985

HB 489 Prime Sponsor, Representative McMullen: Establishing allocation methods for private activity bonds. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives McMullen, Chair; Kremen, Vice Chair; Day, Dobbs, Doty, Hargrove, J. King, Lundquist, May, Niemi, Rayburn, Schoon, Scott, Silver, L. Smith, Smitherman, Tanner, Thomas, van Dyke, Vekich, B. Williams and Wineberry

Voting nay: Representative Schmidt.

Absent: Representative Braddock.

Passed to Committee on Rules for second reading.

February 27, 1985

HB 545 Prime Sponsor, Representative Fisher: Permitting voters to deposit their own ballots in the ballot box. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fisher, Chair; Leonard, Vice Chair; Barnes, Barrett, Day, Fisch, Madsen, Miller, Nealey, Sommers and Walker.

Passed to Committee on Rules for second reading.

February 26, 1985

HB 546 Prime Sponsor, Representative Kremen: Modifying provisions on agricultural commodity assessments. Reported by Committee on Agriculture

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Vekich, Chair; Baugher, Vice Chair; Ballard, Bristow, Brooks, Chandler, Doty, Kremen, Madsen, Nealey and Peery.

Passed to Committee on Rules for second reading.

February 26, 1985

HB 606 Prime Sponsor, Representative Unsoeld: Providing for lake management districts. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Allen, Bristow, Brough, Doty, Ebersole, Hine, Isaacson, May, Patrick, Rayburn, Smitherman and Zellinsky.

Voting nay: Representative Winsley.

Passed to Committee on Rules for second reading.

February 27, 1985

HB 660 Prime Sponsor, Representative Gallagher: Authorizing the state patrol and the utilities and transportation commission to establish standards for private carriers. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walk, Chair; Wineberry, Vice Chair; Baugher, Betzoff, Bond, Brough, Fisch, Fisher, Gallagher, Hankins, Haugen, Kremen, Lundquist, McMullen, Patrick, Prince, Schmidt, C. Smith, Tanner, Thomas, Valle, Van Luven, J. Williams, K. Wilson and Zellinsky.

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

Absent: Representatives Hankins and McMullen.

Passed to Committee on Rules for second reading.

February 26, 1985

HB 701 Prime Sponsor, Representative Lux: Requiring a report on check cashing fees. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass with the following amendment: On page 1, line 4 after "sec. 1." strike all material to and including "sec. 2." on line 22.

Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Addison, Barrett, Crane, Dellwo, Holland, Prince, West and Winsley.

Voting nay: Representatives Locke and Nutley.

Absent: Representative Grimm.

Passed to Committee on Rules for second reading.

February 26, 1985

HB 717 Prime Sponsor, Representative Todd: Imposing requirements for approval of optional local measured service telephone rates. Reported by Committee on Energy & Utilities

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong, Barnes, Bond, Gallagher, Isaacson, Jacobsen, Long, Madsen, Nealey, Sutherland, Unsoeld and Van Luven.

Absent: Representative Miller.

Passed to Committee on Rules for second reading.

February 28, 1985

HB 731 Prime Sponsor, Representative Madsen: Requiring the director of agriculture to establish a program for breeding and marketing horses. Reported by Committee on Agriculture

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Vekich, Chair; Baugher, Vice Chair; Ballard, Bristow, Brooks, Chandler, Doty, Kremen, Madsen, Nealey and Peery.

Passed to Committee on Rules for second reading.

February 26, 1985

HB 746 Prime Sponsor, Representative Schmidt: Revising the requirement to provide health insurance coverage in child support cases. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; Appelwick, Crane, Dellwo, Hargrove, P. King, Lewis, Locke, G. Nelson, Niemi, Schmidt, Schoon, Van Luven, West and Wang.

Absent: Representative Padden.

Passed to Committee on Rules for second reading.

February 26, 1985

HB 758 Prime Sponsor, Representative Locke: Imposing civil liability for the theft of utility services. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 25 after "recover" insert "from the defendant"

On page 3, line 28 after "charged" insert "the defendant"

Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong, Barnes, Bond, Gallagher, Isaacson, Jacobsen, Madsen, Nealey, Sutherland, Unsoeld and Van Luven.

Voting nay: Representative Long.

Absent: Representative Miller.

Passed to Committee on Rules for second reading.

February 28, 1985

HB 787 Prime Sponsor, Representative Tilly: Exempting avalanche control activities from the state explosive act. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 2 after the enacting clause insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 70.74 RCW to read as follows:

It is the purpose of this 1985 act to protect the public by enabling ski area operators to exercise appropriate avalanche control measures. The legislature finds that avalanche control is of vital importance to safety in ski areas and that the provisions of the Washington state explosives act contain restrictions which do not reflect special needs for the use of explosives as a means of clearing an area of serious avalanche risks. This 1985 act recognizes these needs while providing for a system of regulations designed to ensure that the use of explosives for avalanche control conforms to fundamental safety requirements."

Renumber the sections consecutively.

On page 1, line 1 of the title after "explosives;" strike "and" and after "70.74.191" insert "; and adding a new section to chapter 70.74 RCW"

Signed by Representatives Wang, Chair; Cole, Vice Chair; Betrozoff, Chandler, Ebersole, Fisch, Fisher, R. King, O'Brien, Patrick, Sayan, C. Smith, Walker and J. Williams.

Passed to Committee on Rules for second reading.

February 26, 1985

HB 802 Prime Sponsor, Representative Scott: Declaring economic development programs with nonprofit corporations to be a public purpose for cities and counties. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives McMullen, Chair; Kremen, Vice Chair; Day, Dobbs, Doty, Hargrove, J. King, Lundquist, May, Niemi, Rayburn, Schmidt, Schoon, Scott, Silver, L. Smith, Smitherman, Tanner, Thomas, van Dyke, Vekich, B. Williams and Wineberry.

Absent: Representative Braddock.

Passed to Committee on Rules for second reading.

February 26, 1985

HB 832 Prime Sponsor, Representative Kremen: Authorizing the acceptance of gifts by the world fair commission. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives McMullen, Chair; Kremen, Vice Chair; Day, Dobbs, Doty, Hargrove, J. King, Lundquist, May, Niemi, Rayburn, Schmidt, Schoon, Scott, Silver, L. Smith, Smitherman, Tanner, Thomas, van Dyke, Vekich, B. Williams and Wineberry.

Absent: Representative Braddock.

Passed to Committee on Rules for second reading.

February 27, 1985

HB 849 Prime Sponsor, Representative Wang: Providing for teacher evaluation. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ebersole, Chair; Valle, Vice Chair; Appelwick, Betzoff, Chandler, Cole, Fuhrman, Holland, P. King, Long, Peery, Rayburn, Rust, Schoon, L. Smith, Taylor, Todd, Walker and Wang.

Passed to Committee on Rules for second reading.

February 28, 1985

HB 985 Prime Sponsor, Representative Rayburn: Authorizing sale of general obligation bonds for agricultural water supply facilities. Reported by Committee on Agriculture

MAJORITY recommendation: Do pass with the following amendment: On page 2, line 33, beginning with "No" strike all material through "Project." on line 34.

Signed by Representatives Vekich, Chair; Baugher, Vice Chair; Bristow, Kremen, Madsen and Peery.

MINORITY recommendation: Without recommendation. Signed by Representatives Ballard, Chandler, Doty and Nealey.

Passed to Committee on Rules for second reading.

February 26, 1985

HB 1037 Prime Sponsor, Representative Prince: Revising procedures and amounts in records of accident reports. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walk, Chair; Wineberry, Vice Chair; Baugher, Bond, Brough, Fisch, Fisher, Gallagher, Haugen, Kremen, Lundquist, McMullen, Schmidt, C. Smith, Thomas, Valle, Van Luven, K. Wilson and Zellinsky.

Absent: Representatives Hankins, Kremen, Sutherland, Tanner and J. Williams.

Passed to Committee on Rules for second reading.

February 27, 1985

HB 1080 Prime Sponsor, Representative J. King: Increasing the number of certain positions exempt from state civil service law. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Belcher, Chair; Baugher, Fuhrman, Hankins, O'Brien, Sanders, Taylor, Todd, van Dyke, Vekich and Walk.

Absent: Representative Brooks.

Passed to Committee on Rules for second reading.

February 27, 1985

HB 1094 Prime Sponsor, Representative L. Smith: Expanding eligibility for issuance of identicards. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Wineberry, Vice Chair; Baugher, Betzoff, Bond, Brough, Fisch, Gallagher, Hankins, Haugen, Kremen, Lundquist, McMullen, Patrick, Prince, Schmidt, C. Smith, Sutherland, Tanner, Thomas, Valle, Van Luven, J. Williams, K. Wilson and Zellinsky.

Voting nay: Representative Fisher.

Absent: Representatives Lundquist, Prince and Thomas.

Passed to Committee on Rules for second reading.

February 26, 1985

HB 1177 Prime Sponsor, Representative Lux: Providing public access to records of hazardous waste handlers. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Unsoeld, Vice Chair; Allen, Barnes, Brekke, Isaacson, Jacobsen, R. King, Lewis, Lux, May and Valle.

Voting nay: Representative Nutley.

Absent: Representatives Bond and Brough.

Passed to Committee on Rules for second reading.

February 26, 1985

HJR 25 Prime Sponsor, Representative Fisher: Providing for the alteration of counties. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fisher, Chair; Leonard, Vice Chair; Barnes, Day, Fisch, Madsen, Miller, Nealey, Sommers and Walker.

Absent: Representative Barrett.

Passed to Committee on Rules for second reading.

#### SECOND READING

HOUSE BILL NO. 318, by Representatives Walk, J. Williams, Gallagher, Van Luven, May, Betrozoff, Patrick, Nealey, Prince, Sanders, Hankins, S. Wilson, Holland and Winsley

Extending the current Advance Construction-Interstate Highway bond authorization to 1989.

The bill was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Walk, J. Williams and May spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 318, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Bond, Gallagher - 2.

House Bill No. 318, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 391, by Representatives Brooks, Belcher, O'Brien and Hankins; by Department of General Administration request

Modifying competitive bidding requirements for state purchasing.

The bill was read the second time. On motion of Ms. Belcher, Substitute House Bill No. 391 was substituted for House Bill No. 391, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 391 was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 391, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Vaile, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Bond, Gallagher - 2.

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

HOUSE BILL NO. 399, by Representatives K. Wilson, Schmidt, Walk, Patrick and P. King; by Department of Licensing request

Authorizing staggered licensing for motor vehicle related businesses.

The bill was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. K. Wilson spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 399, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Vaile, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Bond, Gallagher - 2.

House 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.

HOUSE BILL NO. 23, by Representatives Haugen, Allen, Miller and Rayburn

Providing regulations for compensation for members of special district governing bodies.

The bill was read the second time. On motion of Ms. Haugen, Substitute House Bill No. 23 was substituted for House Bill No. 23, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 23 was read the second time.

Mr. Holland moved adoption of the following amendment:  
On page 1, line 5 strike all material through "made" on line 21.

Mr. Holland spoke in favor of the amendment, and Ms. Haugen spoke against it.

MOTION

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

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 85-27, by Representatives Nutley, Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Ehlers, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, J. King, P. King, R. King, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, D. Nelson, G. Nelson, Niemi, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, C. Smith, L. Smith, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Vander Stoep, van Dyke, Van Luvan, Vekich, Walk, Walker, Wang, West, B. Williams, J. Williams, K. Wilson, S. Wilson, Wineberry, Winsley and Zellinsky

WHEREAS, The states of Washington and Oregon share a common border, geographic location and heritage; and

WHEREAS, Great friendship exists between the citizens of Washington and Oregon; and

WHEREAS, Washington and Oregon share similar problems; and

WHEREAS, Historically the citizens and governments of the two states have worked together to solve common problems and for the public good of both states and the Pacific Northwest; and

WHEREAS, There is a continuing need for a close working relationship between the citizens of Washington and Oregon to address and resolve their mutual problems; and

WHEREAS, The Washington State House of Representatives recognizes this need and the necessity for a continuing dialogue between the legislatures of Washington and Oregon;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives communicate its desire to continue its dialogue with the Oregon Legislature on issues of mutual concern to the Washington State Senate and Oregon Legislature; and

BE IT FURTHER RESOLVED, That the leadership from each of the caucuses in the House of Representatives discuss the best method of accomplishing such dialogue with the leadership of the Washington State Senate and, at the appropriate time, with the leadership of the Oregon Legislature; and

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the President of the Washington Senate and the leadership of the Oregon Legislature.

Ms. Nutley moved adoption of the resolution. Representatives Nutley, Schoon and Sanders spoke in favor of the resolution, and it was adopted.

MOTION

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

SECOND READING

SUBSTITUTE HOUSE BILL NO. 23:

The House resumed consideration of the bill on second reading. The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendment by Representative Holland.

Representatives Allen, Ebersole and Jacobsen spoke against the amendment, and Representatives Taylor and Schoon spoke in favor of it.

Mr. Holland spoke again in favor of the amendment.

A division was called.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Holland to Substitute House Bill No. 23, and the amendment was adopted by the following vote: Yeas, 50; nays, 45; absent, 1; excused, 2.

Voting yea: Representatives Addison, Appelwick, Ballard, Barnes, Barrett, Basich, Betrozoff, Bristow, Brooks, Brough, Chandler, Dellwo, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Vekich, Walker, Wang, West, Williams B, Williams J, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 50.

Voting nay: Representatives Allen, Armstrong, Baugher, Belcher, Braddock, Brekke, Cole, Crane, Day, Ebersole, Fisch, Fisher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, May, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Todd, Unsoeld, Valle, Walk, Wilson K, Wineberry - 45.

Absent: Representative Tanner - 1.

Excused: Representatives Bond, Gallagher - 2.

Ms. Haugen moved adoption of the following amendment by Representatives Haugen and Allen:

On page 4, line 13 strike "two" and insert "twenty-five"

Representatives Haugen and Allen spoke in favor of the amendment, and it was adopted.

On motion of Ms. Haugen, the following amendment to the title was adopted:  
On page 1, line 3 strike all material through "RCW."

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

HOUSE BILL NO. 402, by Representatives R. King, Patrick, Sayan, S. Wilson, J. Williams, Gallagher, Fisch, Doty, Barrett, Cole and P. King

Authorizing nonprofit organizations to increase price of raffle tickets.

The bill was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. R. King spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 402, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Bond, Gallagher - 2.

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.

HOUSE BILL NO. 1198, by Representatives Schmidt, Zellinsky, S. Wilson, Haugen, Thomas, Lundquist, Smitherman, L. Smith, McMullen, J. Williams, Hastings, Sayan, Schoon and Brough

Requiring an appropriation for expenditures from state ferry revenues.

The bill was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.



Representatives Schmidt and Zellinsky spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1198, and the bill passed the House by the following vote: Yeas, 94; nays, 2; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representatives Baugher, Rayburn - 2.

Excused: Representatives Bond, Gallagher - 2.

House Bill No. 1198, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Schmidt was excused.

HOUSE BILL NO. 459, by Representatives O'Brien, Wang, Jacobsen, Patrick, Lux and Locke

Regulating the sale of kosher foods.

The bill was read the second time. On motion of Mr. Vekich, Substitute House Bill No. 459 was substituted for House Bill No. 459, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 459 was read the second time.

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

On page 1, after line 16 strike all material through "kosher." on line 23 and insert the following:

"NEW SECTION, Sec. 3. No person may knowingly sell or offer for sale any food product represented as 'kosher' or 'kosher style' when that person knows that the food product is not kosher and when the representation is likely to cause a prospective purchaser to believe that it is kosher. Such a representation can be made orally or in writing, or by display of a sign, mark, insignia, or simulation."

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

Mr. Vekich spoke in favor of the bill, and Mr. Isaacson spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 459, and the bill passed the House by the following vote: Yeas, 92; nays, 3; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 92.

Voting nay: Representatives Isaacson, Lundquist, Sanders - 3.

Excused: Representatives Bond, Gallagher, Schmidt - 3.

Engrossed Substitute House 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.

## MOTION

On motion of Mr. Appelwick, the House advanced to the seventh order of business.

## THIRD READING

SUBSTITUTE HOUSE BILL NO. 48, by Committee on Commerce & Labor (originally sponsored by Representatives R. King, Patrick, Fisch, Hargrove, Lux, Leonard, Todd, Vekich, Day, Sayan, Winsley, Ebersole, Wang, Fisher and Basich)

Adding life support technicians to employees covered by uniformed personnel collective bargaining procedures.

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

Mr. R. King spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 48, and the bill passed the House by the following vote: Yeas, 85; nays, 10; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Rayburn, Rust, Sayan, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 85.

Voting nay: Representatives Chandler, Fuhrman, Lundquist, Nealey, Padden, Prince, Sanders, Schoon, Smith C, Walker - 10.

Excused: Representatives Bond, Gallagher, Schmidt - 3.

Substitute House 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.

SUBSTITUTE HOUSE BILL NO. 69, by Committee on Environmental Affairs (originally sponsored by Representatives Rust, Allen, Valle, Brekke, R. King, Lux, Unsoeld, D. Nelson and Isaacson)

Requiring solid waste facilities to establish trust funds.

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

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 69, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Bond, Gallagher, Schmidt - 3.

Substitute House Bill No. 69, having received the 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 Tanner, L. Smith, Sutherland, Nutley, Peery, J. King and Hastings

Repealing the laws authorizing a county tax on nonresidents of the state employed in the county.

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

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 132, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Bond, Gallagher, Schmidt - 3.

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

ENGROSSED HOUSE BILL NO. 31, by Representatives Haugen, Lundquist, B. Williams, McMullen and K. Wilson

Removing restrictions on the taking of salmon by use of monofilament gill net webbing.

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

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 31, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Bond, Gallagher, Schmidt - 3.

Engrossed House Bill No. 31, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 153, by Representatives Armstrong, Crane, Brekke, Long, Schmidt, P. King, Winsley, S. Wilson, Bond, Van Luven, Isaacson, Ballard, Hastings, May, Holland, Hankins, Doty, Brough, Wang, J. Williams and Tanner; by Department of Social and Health Services request

Revising the enforcement of child support obligations.

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

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

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 153, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Bond, Gallagher, Schmidt - 3.

House Bill No. 153, having received the 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. 168, by Representatives R. King, Jacobsen, Fisch and Appelwick

Exempting UW printing craft employees from state higher education personnel law.

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

Representatives R. King and Sayan spoke in favor of passage of the bill, and Mr. B. Williams spoke against it.

## POINT OF INQUIRY

Mr. R. King yielded to question by Mr. Taylor.

Mr. Taylor: "Representative King, I'm a little confused because I thought I heard you say this would permit them to bargain and I heard Representative Sayan saying no, this wouldn't permit them to bargain. Which is correct?"

Mr. R. King: "Representative Sayan is correct. It would take additional legislation. This just clarifies their position at the present time, but would make it possible in the future, if we do pass other legislation."

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 168, and the bill passed the House by the following vote: Yeas, 74; nays, 21; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brough, Chandler, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Rayburn, Rust, Sayan, Schoon, Scott, Smith C, Smitherman, Sommers, Sutherland, Tanner, Thomas, Todd, Unsoeld, Valle, Vander Stoep, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 74.

Voting nay: Representatives Barnes, Brooks, Dobbs, Doty, Fuhrman, Hastings, Isaacson, Lundquist, Nealey, Padden, Prince, Sanders, Silver, Smith L, Taylor, Tilly, van Dyke, Van Luven, West, Williams B, Wilson S - 21.

Excused: Representatives Bond, Gallagher, Schmidt - 3.

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

SUBSTITUTE HOUSE BILL NO. 177, by Committee on Local Government (originally sponsored by Representatives Ebersole, Taylor, Vekich, Basich, Hankins, Sutherland, Patrick, Sanders, Fisch, Winsley, S. Wilson, Kremen, Schoon, Bond, G. Nelson and Isaacson)

Increasing funds available to veterans organizations for hall rental.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 177, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Bond, Gallagher, Schmidt - 3.

Substitute House 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.

HOUSE BILL NO. 191, by Representatives McMullen, Lundquist, Sutherland, S. Wilson, Sayan and May

Providing for rewards for information about violations of the food fish and shellfish laws.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 191, and the bill passed the House by the following vote: Yeas, 94; nays, 1; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Grimm, Hankins, Hargrove, Hastings, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representative Haugen - 1.

Excused: Representatives Bond, Gallagher, Schmidt - 3.

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.

ENGROSSED HOUSE BILL NO. 228, by Representatives Peery, Sutherland, Madsen, Nutley, J. King, Baugher, Schoon, Day, Sanders, West, Lewis, Fuhrman, Miller, G. Nelson, J. Williams, Lundquist, L. Smith, van Dyke, May, Bond, Valle, Fisch, Ballard, Taylor and Isaacson

Exempting from registration small craft used on those waters not subject to federal jurisdiction.

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

Representatives Peery and Sanders spoke in favor of passage of the bill, and Ms. Brough spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 228, and the bill passed the House by the following vote: Yeas, 92; nays, 3; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Grimm, Hankins, Hargrove,

Hastings, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 92.

Voting nay: Representatives Brough, Haugen, Sommers - 3.

Excused: Representatives Bond, Gallagher, Schmidt - 3.

Engrossed House Bill No. 228, having received the 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. 246, by Committee on Social & Health Services (originally sponsored by Representatives Day, Vander Stoep, Brække, Jacobsen, Lux, Unsoeld, D. Nelson, Armstrong, Dellwo, Niemi, Appelwick, Padden, Taylor, Lewis, Cole, Lundquist, May, Silver and Isaacson)

Prohibiting nursing homes from discriminating against medical assistance recipients.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 246, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brække, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Bond, Gallagher, Schmidt - 3.

Substitute 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.

#### MOTIONS

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

Mr. J. King moved that HOUSE BILL NO. 178 be referred from Committee on Ways & Means to Committee on Rules and HOUSE BILL NO. 611 be referred from Committee on Judiciary to Committee on Ways & Means.

Mr. Padden spoke against the motion, and Mr. Appelwick spoke in favor of it.

A division was called.

#### ROLL CALL

The Clerk called the roll on the motion to refer House Bill No. 178 to Committee on Rules and House Bill No. 611 to Committee on Ways & Means, and the motion was carried by the following vote: Yeas, 52; nays, 43; excused, 3.

Voting yea: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brække, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 52.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 43.

Excused: Representatives Bond, Gallagher, Schmidt - 3.

MOTION

On motion of Mr. J. King, the House was adjourned until 10:30 a.m., Monday, March 4, 1985.

DENNIS L. HECK, Chief Clerk

WAYNE EHLERS, Speaker

## FIFTIETH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Monday, March 4, 1985.

The House was called to order at 10:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Grimm, Hastings, van Dyke and Wineberry. Representatives Grimm, Hastings and van Dyke were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Melody Barnes and Brian Bruce. Prayer was offered by Reverend Hilton Jarvis, Lacey Baptist Church.

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

## MESSAGE FROM THE SENATE

March 1, 1985

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3007,

SENATE BILL NO. 3008,

SENATE BILL NO. 3206,

ENGROSSED SENATE BILL NO. 3400,

ENGROSSED SUBSTITUTE SENATE BILL NO. 3798,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE JOINT RESOLUTION NO. 12.

## INTRODUCTIONS AND FIRST READING

SSB 3007 by Committee on Transportation (originally sponsored by Senators Bauer, Zimmerman and Thompson)

Specifying motor vehicle licensing exemptions to be declared by the department for vehicles registered in other jurisdictions.

Referred to Committee on Transportation.

SB 3008 by Senators Thompson, Zimmerman and Bauer

Modifying valuation provisions for certain articles for use tax purposes.

Referred to Committee on Ways & Means.

SB 3206 by Senators Moore, Williams, Newhouse, Vognild, McManus, Deccio, McDonald and Craswell

Modifying the regulation of water heater temperatures.

Referred to Committee on Commerce & Labor.

ESB 3400 by Senators Owen, Patterson and Stratton

Changing provisions relating to state mineral, oil, and gas leases.

Referred to Committee on Natural Resources.



ESSB 3798 by Committee on Ways & Means (originally sponsored by Senators McDermott, Zimmerman, Thompson, Lee, Bender and Talmadge)

Providing for the financing of local public works.

Referred to Committee on Ways & Means.

MOTION

On motion of Mr. J. King, the bills listed on today's introduction sheet were considered first reading under the fourth order of business and were referred to the committees designated.

REPORTS OF STANDING COMMITTEES

March 1, 1985

HB 66 Prime Sponsor, Representative R. King: Establishing a training certificate for plumbing construction work contractors. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Betrozoff, Chandler, Ebersole, Fisch, Fisher, R. King, O'Brien, Patrick, Sayan, C. Smith, Walker and J. Williams.

Passed to Committee on Rules for second reading.

February 28, 1985

HB 102 Prime Sponsor, Representative Sommers: Eliminating supplemental pension benefits for future higher education employees and permitting retirement plan options. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Vice Chair; Basich, Brekke, Bristow, Hastings, Hine, Holland, J. King, Locke, Long, Madsen, G. Nelson, Niemi, Rust, Sanders, Sayan, Silver, L. Smith, Smitherman, Sommers, Taylor, Tilly, Vander Stoep and B. Williams.

Voting nay: Representative Appelwick.

Absent: Representatives Grimm, Chair and J. King.

Passed to Committee on Rules for second reading.

February 28, 1985

HB 163 Prime Sponsor, Representative Leonard: Restricting the issuance of drivers' licenses to persons evaluated as alcohol or drug abusers. Reported by Committee on Social & Health Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Brekke, Chair; Day, Vice Chair; Armstrong, Ballard, Dellwo, Dobbs, Leonard, Lewis, Lux, Padden, Scott, Tanner and Winsley.

Absent: Representatives Braddock and S. Wilson.

Passed to Committee on Rules for second reading.

February 28, 1985

HB 270 Prime Sponsor, Representative Locke: Certifying the practice of acupuncture. Reported by Committee on Social & Health Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Brekke, Chair; Day, Vice Chair; Armstrong, Ballard, Brooks, Dobbs, Leonard, Lewis, Lux, Padden, Scott, Tanner, West, S. Wilson and Winsley.

Absent: Representative Dellwo.

Referred to Committee on Ways & Means.

February 28, 1985

HB 291 Prime Sponsor, Representative Sommers: Adjusting higher education tuition and fees. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Sommers, Chair; Jacobsen, Vice Chair; Allen, Basich, Belcher, Hastings, Miller, D. Nelson, G. Nelson, Prince, Silver, Unsoeld, Vander Stoep, K. Wilson and Wineberry.

Referred to Committee on Ways & Means.

February 28, 1985

HB 372 Prime Sponsor, Representative Grimm: Enhancing early childhood education. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ebersole, Chair; Valle, Vice Chair; Appelwick, Cole, Holland, P. King, Long, Peery, Rayburn, Rust, Schoon, Todd, Walker and Wang.

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

Voting nay: Representatives Berozoff, Chandler, Fuhrman, L. Smith and Taylor.

Referred to Committee on Ways & Means.

February 28, 1985

HB 375 Prime Sponsor, Representative Tilly: Revising provisions relating to unfunded retirement system liability. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Braddock, Vice Chair; Appelwick, Basich, Brekke, Bristow, Hastings, Hine, Holland, J. King, Locke, Long, Madsen, G. Nelson, Niemi, Sanders, Sayan, Silver, L. Smith, Smitherman, Sommers, Taylor, Tilly, Vander Stoep and B. Williams.

Absent: Representatives Grimm, Chair; Rust and Silver.

Passed to Committee on Rules for second reading.

February 28, 1985

HB 376 Prime Sponsor, Representative Tilly: Providing for actuarial fiscal notes for retirement legislation. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Braddock, Vice Chair; Appelwick, Basich, Brekke, Bristow, Hastings, Hine, Holland, J. King, Locke, Long, Madsen, G. Nelson, Niemi, Sanders, Sayan, Silver, L. Smith, Smitherman, Sommers, Taylor, Tilly, Vander Stoep and B. Williams.

Absent: Representatives Grimm, Chair; Rust and Silver.

Passed to Committee on Rules for second reading.

February 28, 1985

HB 378 Prime Sponsor, Representative Sommers: Requiring funding of cost of living retirement adjustments. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Braddock, Vice Chair; Appelwick, Basich, Bristow, Hastings, Hine, Holland, J. King, Locke, Long, Madsen, G. Nelson, Niemi, Sanders, Sayan, Silver, L. Smith, Smitherman, Sommers, Taylor, Vander Stoep and B. Williams.

Absent: Representatives Grimm, Chair; and Rust.

Passed to Committee on Rules for second reading.

February 28, 1985

HB 444 Prime Sponsor, Representative Sommers: Revising provisions relating to disability benefits for the law enforcement officers' and fire fighters' retirement system. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Braddock, Vice Chair; Appelwick, Basich, Brekke, Bristow, Hastings, Hine, Holland, J. King, Locke, Long, Madsen, G. Nelson, Niemi, Sanders, Sayan, Silver, L. Smith, Smitherman, Sommers, Taylor, Tilly, Vander Stoep and B. Williams.

Absent: Representatives Grimm, Chair; Appelwick, Rust and Taylor.

Passed to Committee on Rules for second reading.

March 1, 1985

HB 456 Prime Sponsor, Representative Crane: Authorizing preliminary chemical breath analysis of persons suspected of driving while intoxicated. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, P. King, Lewis, Locke, G. Nelson, Niemi, Padden, Schmidt, Schoon, Tilly, Van Luven, West and Wang.

Passed to Committee on Rules for second reading.

February 28, 1985

HB 458 Prime Sponsor, Representative Sommers: Modifying provisions relating to judges' retirement. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Braddock, Vice Chair; Appelwick, Basich, Brekke, Bristow, Hastings, Hine, Holland, J. King, Locke, Long, Madsen, G. Nelson, Niemi, Rust, Sanders, Sayan, Silver, L. Smith, Smitherman, Sommers, Taylor, Tilly, Vander Stoep and B. Williams.

Absent: Representatives Grimm, Chair; Rust and Taylor.

Passed to Committee on Rules for second reading.

February 28, 1985

HB 469 Prime Sponsor, Representative Lux: Updating definitions used in naturopathic medicine. Reported by Committee on Social & Health

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Brekke, Chair; Day, Vice Chair; Armstrong, Ballard, Brooks, Dobbs, Leonard, Lewis, Lux, Padden, Scott, Tanner and Winsley.

Absent: Representatives Braddock, Dellwo and S. Wilson.

Passed to Committee on Rules for second reading.

February 27, 1985

HB 470 Prime Sponsor, Representative Brekke: Providing for the registration and certification of mental health professionals. Reported by Committee on Social & Health Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Brekke, Chair; Armstrong, Dellwo, Leonard, Lewis, Lux, Scott, Tanner and Winsley.

MINORITY recommendation: Do not pass. Signed by Representatives Dobbs and Padden.

Voting nay: Representatives Dobbs, Lux and Padden.

Absent: Representatives Day, Vice Chair; Ballard, Braddock, Brooks, West and S. Wilson.

Referred to Committee on Ways & Means.

February 28, 1985

HB 494 Prime Sponsor, Representative Sommers: Creating a board of regents to govern Washington state and Eastern Washington Universities and

establishing a joint center on higher education. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sommers, Chair; Jacobsen, Vice Chair; Allen, Basich, Belcher, Hastings, Miller, D. Nelson, G. Nelson, Prince, Silver, Unsoeld, Vander Stoep, K. Wilson and Wineberry.

Passed to Committee on Rules for second reading.

February 28, 1985

HB 549 Prime Sponsor, Representative P. King: Placing a two-year freeze on the excess levy lid reduction and providing for a study on excess levies. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ebersole, Chair; Valle, Vice Chair; Appelwick, Cole, Long, Peery, Taylor, Todd, Walker and Wang.

MINORITY recommendation: Do not pass. Signed by Representatives Betrozoff, Holland and Rust.

Voting nay: Representatives Betrozoff, Fuhrman, Holland, Rust and Schoon.

Referred to Committee on Ways & Means.

March 1, 1985

HB 551 Prime Sponsor, Representative Fisher: Eliminating restrictions on political activity of persons eligible for employment security department personnel. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: Do pass. Signed by Representatives Fisher, Chair; Leonard, Vice Chair; Barnes, Barrett, Day, Fisch, Madsen, Nealey, Sommers and Walker.

Absent: Representative Miller.

Passed to Committee on Rules for second reading.

February 28, 1985

HB 566 Prime Sponsor, Representative Sommers: Changing provisions relating to higher education tuition and fees. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sommers, Chair; Jacobsen, Vice Chair; Allen, Basich, Belcher, Hastings, Miller, D. Nelson, G. Nelson, Prince, Silver, Unsoeld, K. Wilson and Wineberry.

Absent: Representative Silver.

Passed to Committee on Rules for second reading.

March 1, 1985

HB 587 Prime Sponsor, Representative Grimm: Establishing additional requirements for teacher preparation and certification. Reported by Committee on Rules

Referred to Committee on Ways & Means.

February 28, 1985

HB 657 Prime Sponsor, Representative Sommers: Revising provisions relating to disability benefits under the law enforcement officers' and fire fighters' retirement system. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Vice Chair; Appelwick, Basich, Brekke, Bristow, Hastings, Hine, Holland, J. King, Locke, Long, Madsen, Niemi, Rust, Sanders, Sayan, Silver, L. Smith, Smitherman, Sommers, Tilly, Vander Stoep and B. Williams.

Absent: Representatives Grimm, Chair; G. Nelson, Rust and Taylor.

Passed to Committee on Rules for second reading.

February 28, 1985

HB 840 Prime Sponsor, Representative Haugen: Establishing a coastal conservancy fund to acquire and protect natural areas. Reported by the Select Committee on the Clean-up and Management of Puget Sound

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute do pass. Signed by Representatives Hine, Chair; Rust, Vice Chair, Haugen, Lundquist, Miller, G. Nelson, Schmidt, Smitherman, Unsoeld and Wang.

Absent: Representatives Dobbs, Grimm, May, Thomas and Vekich.

Referred to Committee on Ways & Means.

March 1, 1985

HB 849 Prime Sponsor, Representative Wang: Providing for teacher evaluation. Reported by Committee on Rules

Referred to Committee on Ways & Means.

March 1, 1985

HB 877 Prime Sponsor, Representative Dellwo: Changing provisions relating to adoptions. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, P. King, Lewis, Locke, G. Nelson, Niemi, Padden, Schmidt, Schoon, Tilly, Van Luven, West and Wang.

Absent: Representatives Scott, Vice Chair; Niemi, Schmidt, Tilly, Van Luven and Wang.

Passed to Committee on Rules for second reading.

March 1, 1985

HB 891 Prime Sponsor, Representative Ballard: Revising provisions of park district annexation. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Allen, Bristow, Brough, Doty, Ebersole, Hine, Isaacson, May, Patrick, Rayburn, Smitherman, Winsley and Zellinsky.

Passed to Committee on Rules for second reading.

February 28, 1985

HB 930 Prime Sponsor, Representative Leonard: Establishing a pilot project to provide social and health services to urban "street kids." Reported by Committee on Social & Health Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Brekke, Chair; Day, Vice Chair; Armstrong, Braddock, Dellwo, Leonard, Lewis, Lux, Scott, Tanner and Winsley.

Voting nay: Representatives Ballard, Brooks, Dobbs, Padden and S. Wilson.

Absent: Representative West.

Referred to Committee on Ways & Means.

February 28, 1985

HB 957 Prime Sponsor, Representative Winsley: Revising coverage requirements on underinsured motor vehicles. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Addison, Barrett, Crane, Dellwo, Holland, P. King, Locke, Nutley, Prince, West and Winsley

Absent: Representatives Grimm, P. King and West.

Passed to Committee on Rules for second reading.

February 28, 1985

HB 975 Prime Sponsor, Representative Rust: Revising provisions relating to hazardous wastes. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Unsoeld, Vice Chair; Allen, Barnes, Brekke, Brough, Isaacson, Jacobsen, R. King, Lewis, Lux, May, Nutley and Valle.

Absent: Representative Bond.

Referred to Committee on Ways & Means.

February 28, 1985

HB 1000 Prime Sponsor, Representative Appelwick: Exempting trade-in property of like kind from use taxation. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Vice Chair; Appelwick, Basich, Bristow, Hastings, Hine, Holland, Long, Madsen, G. Nelson, Niemi, Rust, Sanders, Silver, L. Smith, Smitherman, Sommers, Taylor, Tilly, Vander Stoep and B. Williams.

Absent: Representatives Grimm, Chair; Brekke, J. King, Locke, Sayan, L. Smith and Taylor.

Passed to Committee on Rules for second reading.

February 28, 1985

HB 1001 Prime Sponsor, Representative Appelwick: Modifying provisions on property taxes. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Vice Chair; Appelwick, Basich, Brekke, Bristow, Hastings, Hine, Holland, J. King, Locke, Long, Madsen, G. Nelson, Niemi, Rust, Sanders, Sayan, Silver, L. Smith, Smitherman, Sommers, Taylor, Tilly, Vander Stoep and B. Williams.

Absent: Representatives Grimm, Chair; Brekke, J. King and Sayan.

Passed to Committee on Rules for second reading.

February 28, 1985

HB 1002 Prime Sponsor, Representative Appelwick: Modifying the business and occupation tax exemption for persons selling through direct seller's representatives. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Vice Chair; Appelwick, Basich, Bristow, Hastings, Hine, Holland, Long, Madsen, G. Nelson, Niemi, Rust, Sanders, Silver, L. Smith, Smitherman, Sommers, Taylor, Tilly, Vander Stoep and B. Williams.

Absent: Representatives Grimm, Chair; Brekke, J. King, Locke, Sayan and Tilly.

Passed to Committee on Rules for second reading.

February 28, 1985

HB 1003 Prime Sponsor, Representative Appelwick: Modifying administrative provisions on excise taxes. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Braddock, Vice Chair; Appelwick, Basich, Bristow, Hastings, Hine, Holland, Locke, Long, Madsen, G. Nelson, Niemi, Rust, Sanders, Silver, L. Smith, Smitherman, Sommers, Taylor, Tilly, Vander Stoep and B. Williams.

Absent: Representatives Grimm, Chair; Brekke, J. King, Locke, Sayan and Tilly.

Passed to Committee on Rules for second reading.

March 1, 1985

HB 1004 Prime Sponsor, Representative Appelwick: Authorizing the director of revenue to administer certain estates having escheat property. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, P. King, Lewis, Locke, G. Nelson, Niemi, Padden, Schmidt, Schoon, Tilly, Van Luven, West and Wang.

Absent: Representatives Scott, Vice Chair; Tilly, Van Luven and Wang.

Passed to Committee on Rules for second reading.

February 28, 1985

HB 1006 Prime Sponsor, Representative Appelwick: Modifying the definition of consumer for excise tax purposes. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Vice Chair; Appelwick, Basich, Bristow, Hastings, Hine, Holland, Locke, Long, Madsen, G. Nelson, Niemi, Rust, Sanders, Silver, L. Smith, Smitherman, Sommers, Taylor, Tilly, Vander Stoep and B. Williams.

Absent: Representatives Grimm, Chair; Brekke, J. King and Sayan.

Passed to Committee on Rules for second reading.

February 28, 1985

HB 1009 Prime Sponsor, Representative Appelwick: Modifying excise tax provisions. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Vice Chair; Appelwick, Basich, Bristow, Hastings, Hine, Holland, Locke, Long, Madsen, G. Nelson, Niemi, Rust, Sanders, Silver, L. Smith, Smitherman, Sommers, Taylor, Tilly, Vander Stoep and B. Williams.

Absent: Representatives Grimm, Chair; Brekke, J. King and Sayan.

Passed to Committee on Rules for second reading.

February 28, 1985

HB 1056 Prime Sponsor, Representative Peery: Establishing school-based management pilot projects. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ebersole, Chair; Valle, Vice Chair; Appelwick, Betrozoff, Chandler, Cole, Holland, P. King, Long, Peery, Rayburn, Rust, Schoon, L. Smith, Todd, Walker and Wang.

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

Voting nay: Representatives Fuhrman and Taylor.

Referred to Committee on Ways & Means.

February 28, 1985

HB 1062 Prime Sponsor, Representative Rayburn: Creating a small business ombudsman. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives McMullen, Chair; Kremen, Vice Chair; Braddock, Day, Hargrove, J. King, Niemi, Rayburn, Schoon, Scott, L. Smith, Smitherman, Tanner, Vekich, B. Williams and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Dobbs, Doty, Lundquist, May, Schmidt, Silver, Thomas and van Dyke.

Referred to Committee on Ways & Means.

February 28, 1985

HB 1065 Prime Sponsor, Representative Rayburn: Providing funds for an in-service program on academic efficiency and classroom management. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ebersole, Chair; Valle, Vice Chair; Appelwick, Betzoff, Chandler, Cole, Holland, P. King, Long, Peery, Rayburn, Rust, L. Smith, Todd, Walker and Wang.

Voting nay: Representatives Schoon and Taylor.

Absent: Representatives Fuhrman and P. King.

Referred to Committee on Ways & Means.

February 28, 1985

HB 1068 Prime Sponsor, Representative Smitherman: Providing for state and local action to preserve commercial and recreational shellfish areas. Reported by the Select Committee on the Clean-up and Management of Puget Sound

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hine, Chair; Rust, Vice Chair; Haugen, Lundquist, Miller, G. Nelson, Schmidt, Smitherman, Unsoeld and Wang.

Absent: Representatives Dobbs, Grimm, May, Thomas and Vekich.

Referred to Committee on Ways & Means.

March 1, 1985

HB 1116 Prime Sponsor, Representative Day: Authorizing the establishment of aquifer protection areas. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Allen, Bristow, Brough, Doty, Ebersole, Hine, May, Rayburn, Smitherman, Winsley and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representatives Isaacson and Patrick.

Passed to Committee on Rules for second reading.

March 1, 1985

HB 1207 Prime Sponsor, Representative McMullen: Relating to employment and training. Reported by Committee on Rules

Referred to Committee on Trade & Economic Development.

March 1, 1985

HB 1269 Prime Sponsor, Representative Haugen: Relating to local government. Reported by Committee on Rules

Referred to Committee on Local Government.

March 1, 1985

HJM 24 Prime Sponsor, Representative Belcher: Petitioning Congress to halt deportation of Central American refugees. Reported by Committee on State Government

MAJORITY recommendation: The substitute memorial be substituted therefor and the substitute memorial do pass. Signed by Representatives Belcher, Chair; Peery, Vice Chair; Brooks, O'Brien, Sanders, Taylor, Todd, Vekich and Walk.

MINORITY recommendation: Do not pass. Signed by Representatives Baugher, Fuhrman, Hankins and van Dyke.

Passed to Committee on Rules for second reading.



February 28, 1985

SB 3551 Prime Sponsor, Senator McDermott: Clarifying the tax statutes as a result of Bond v. Burrows 103 Wn. 2d 153 (1984). Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Vice Chair; Appelwick, Basich, Brekke, Bristow, Hine, J. King, Locke, Madsen, Niemi, Rust, Sayan, Smitherman and Sommers.

MINORITY recommendation: Do not pass. Signed by Representatives Hastings, Long, G. Nelson, Sanders, L. Smith, Taylor and Tilly.

Voting nay: Representatives Hastings, Holland, Long, G. Nelson, Sanders, Silver, L. Smith, Taylor, Tilly, Vander Stoep and B. Williams.

Absent: Representative Grimm, Chair.

Passed to Committee on Rules for second reading.

#### SECOND READING

HOUSE BILL NO. 507, by Representatives Betzoff, Walk, J. Williams, Schmidt, Brough, Fisher, Hankins, Brekke, Prince, Tanner, Chandler, C. Smith, Baugher, Sutherland, Patrick, Van Luven, Thomas, Valle, Zellinsky, K. Wilson, Bond, Kremen, Winsley and Ballard

Improving freeway traffic flow.

The bill was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 507, and the bill passed the House by the following vote: Yeas, 94; absent, 1; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walk, Waiker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 94.

Absent: Representative Wineberry - 1.

Excused: Representatives Grimm, Hastings, van Dyke - 3.

House Bill No. 507, having received the 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. 601, by Representatives Nutley, J. King, Peery, Sutherland, Tanner, Zellinsky, Walk, Lux, Appelwick, Fuhrman, L. Smith and Isaacson

Authorizing the advertisement of prices as including sales tax.

The bill was read the second time. Committee on Ways & Means recommendation: Majority, do pass as amended. (For amendments, see Journal, 43rd Day, February 25, 1985.)

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

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

Representatives Nutley and L. Smith spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 601, and the bill passed the House by the following vote: Yeas, 90; nays, 4; absent, 1; excused, 3.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Thomas, Tilly, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Waik, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 90.

Voting nay: Representatives Addison, Brekke, Nelson D, Taylor - 4.

Absent: Representative Wineberry - 1.

Excused: Representatives Grimm, Hastings, van Dyke - 3.

Engrossed House Bill No. 601, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Mr. J. King, HOUSE BILL NO. 122 was rereferred from the second reading calendar to Committee on Rules.

Representatives Hastings and Wineberry appeared at the bar of the House.

HOUSE BILL NO. 170, by Representatives Vander Stoep, Grimm, Sommers, G. Nelson, Betzoff, Braddock, Isaacson, Hastings, Walker, Fuhrman and Brough

Establishing admission standards for the institutions of higher education.

The bill was read the second time. On motion of Ms. Sommers, Substitute House Bill No. 170 was substituted for House Bill No. 170, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 170 was read the second time.

Mr. Jacobsen moved adoption of the following amendments by Representatives Jacobsen and Basich:

On page 1, beginning on line 9 strike everything down to and including "follows:" on line 10 and insert "The council for postsecondary education, or its successor agency shall adopt guidelines for admission to public four year educational institutions. In setting these guidelines, the council shall give serious consideration to the following recommended standards:"

On page 2, beginning on line 35 insert the following:

"NEW SECTION. Sec. 2. Admissions guidelines adopted by the council for postsecondary education or its successor agency, and any resulting standards adopted by the four year institutions shall be in effect no later than June 30, 1989."

Renumber the remaining sections and adjust internal references accordingly.

On page 3, line 2 after "admissions" strike "standards" and insert "guidelines"

Representatives Jacobsen, Unsoeld, Taylor, Locke, D. Nelson, Sayan and R. King spoke in favor of the amendments, and Representatives Vander Stoep, Sommers, G. Nelson, Braddock and Brough spoke against them.

Mr. Vander Stoep again opposed the amendments.

## ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives Jacobsen and Basich to Substitute House Bill No. 170, and the amendments were not adopted by the following vote: Yeas, 47; nays, 49; excused, 2.

Voting yea: Representatives Appelwick, Barrett, Basich, Baugher, Belcher, Bond, Brekke, Cole, Crane, Day, Dellwo, Fisch, Fisher, Gallagher, Hargrove, Haugen, Hine, Jacobsen, King P, King R, Leonard, Lewis, Locke, Lux, McMullen, Nelson D, Nutley, O'Brien, Prince, Rayburn, Rust, Sayan, Schmidt, Scott, Silver, Sutherland, Tanner, Taylor, Unsoeld, Vekich, Waik, Wang, West, Williams J, Wilson K, Wineberry, Zellinsky - 47.

Voting nay: Representatives Addison, Allen, Armstrong, Ballard, Barnes, Betzoff, Braddock, Bristow, Brooks, Brough, Chandler, Dobbs, Doty, Ebersole, Fuhrman, Hankins, Hastings, Holland, Isaacson, King J, Kremen, Long, Lundquist, Madsen, May, Miller, Nealey,

Nelson G. Niemi, Padden, Patrick, Peery, Sanders, Schoon, Smith C, Smith L, Smitherman, Sommers, Thomas, Tilly, Todd, Valle, Van Luven, Vander Stoep, Walker, Williams B, Wilson S, Winsley, and Mr. Speaker - 49.

Excused: Representatives Grimm, van Dyke - 2.

Substitute House Bill No. 170 was passed to Committee on Rules for third reading.

HOUSE BILL NO. 12, by Representatives Tilly, Ballard, Bristow and Fuhrman

Expanding television reception improvement districts to include FM radio.

The bill was read the second time. On motion of Mr. J. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 12, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Grimm, van Dyke - 2.

House Bill No. 12, having received the 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. 36, by Representatives Patrick, Locke, Van Luven, McMullen, Padden, Armstrong, Tilly, Schoon, West, R. King, Lundquist, P. King, Fisch, Crane, Scott and G. Nelson

Authorizing law enforcement officer to intercept telephone communications in a hostage or barricade situation.

The bill was read the second time. On motion of Ms. Scott, Substitute House Bill No. 36 was substituted for House Bill No. 36, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 36 was read the second time. On motion of Mr. J. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Patrick and Scott spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 36, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Grimm, van Dyke - 2.

Substitute House Bill No. 36, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

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

#### THIRD READING

HOUSE BILL NO. 261, by Representatives Ebersole, Betrozoff, Peery and P. King; by Superintendent of Public Instruction request

Changing certain provisions relating to school plant facilities.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 261, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Grimm, van Dyke - 2.

House Bill No. 261, having received the 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. 331, by Representatives Sommers, Prince, Jacobsen and Miller

Revising certain laws governing higher education.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 331, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Grimm, van Dyke - 2.

Engrossed House Bill No. 331, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE JOINT RESOLUTION NO. 22, by Representatives Cole, R. King, Ebersole, Scott, Betzoff, Walker, Taylor, Armstrong, Jacobsen, Basich, Unsoeld, P. King, Leonard, Long, Appelwick, Vekich, Rust, Todd, D. Nelson, Belcher, Brough, Holland and Wang

Removing 40% validation requirement for excess levy elections for public schools.

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

Representatives Cole and Betzoff spoke in favor of passage of the resolution.

#### ROLL CALL

The Clerk called the roll on the final passage of House Joint Resolution No. 22, and the resolution received the constitutional two-thirds majority by the following vote: Yeas, 73; nays, 22; absent, 1; excused, 2.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brough, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Gallagher, Hankins, Hargrove, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nelson D, Niemi, Nutley, O'Brien, Peery, Prince, Rayburn, Rust, Sayan, Schoon, Scott, Silver, Smitherman, Sommers, Sutherland, Tanner, Taylor, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 73.

Voting nay: Representatives Addison, Bond, Brooks, Chandler, Dobbs, Fuhrman, Hastings, Isaacson, Lundquist, Nealey, Padden, Patrick, Sanders, Schmidt, Smith C, Smith L, Thomas, Tilly, West, Williams B, Williams J, Wilson S - 22.

Absent: Representative Nelson G - 1.

Excused: Representatives Grimm, van Dyke - 2.

House Joint Resolution No. 22, having received the constitutional two-thirds majority, was declared passed.

There being no objection, the House reverted to the sixth order of business.

#### SECOND READING

HOUSE BILL NO. 81, by Representatives Armstrong, West, Wang and Leonard

Prohibiting teaching, exhibiting, or demonstrating the use of or using firearms in civil disorders.

The bill was read the second time. On motion of Mr. Armstrong, Substitute House Bill No. 81 was substituted for House Bill No. 81 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 81 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 51, by Representatives O'Brien, Dellwo, Lux and Locke

Requiring public restrooms in grocery stores.

The bill was read the second time.

Mr. Lux moved adoption of the following amendment by Representatives Lux and O'Brien:

On page 1, line 9 after "space" insert ", commercial banks, savings and loan associations, and savings banks chartered under Titles 30, 32 or 33 RCW"

Representative Lux spoke in favor of the amendment, and Mr. Barrett spoke against it.

The amendment was adopted.

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

HOUSE BILL NO. 58, by Representatives P. King, West and Wang

Modifying procedures for making arbitration awards.

The bill was read the second time.

Mr. Armstrong moved adoption of the following amendment:

On page 2, after line 10, insert the following:

\* Sec. 3, Section 2, chapter 103, Laws of 1979 as amended by section 1, chapter 188, Laws of 1982 and RCW 7.06.020 are each amended to read as follows:

(1) All civil actions, except for appeals from municipal or justice courts, which are at issue in the superior court in counties which have authorized arbitration, where the sole relief sought is a money judgment, and where no party asserts a claim in excess of ten thousand dollars, or if approved by the superior court of a county by majority vote of the judges thereof, fifteen thousand dollars, exclusive of interest and costs, are subject to mandatory arbitration.

(2) If approved by majority vote of the superior court judges of a county which has authorized arbitration, all civil actions which are at issue in the superior court in which the sole relief sought is the establishment, termination or modification of maintenance or child support payments are subject to mandatory arbitration. The arbitrability of any such action shall not be affected by the amount or number of payments involved.

Mr. Appelwick moved adoption of the following amendment to the Armstrong amendment:

On line 22 strike "fifteen" and insert "up to twenty-five"

Representatives Appelwick and Armstrong spoke in favor of the amendment to the amendment, and it was adopted.

The Speaker stated the question before the House to be the amendment by Representative Armstrong as amended.

Representatives Armstrong and West spoke in favor of the amendment as amended, and it was adopted.

The Clerk read the following amendment by Representative Appelwick:

On page 2, after line 10 insert the following:

\* Sec. 3, Section 2, chapter 103, Laws of 1979 as amended by section 1, chapter 188, Laws of 1982 and RCW 7.06.020 are each amended to read as follows:

All civil actions, except for appeals from municipal or justice courts, which are at issue in the superior court in counties which have authorized arbitration, where the sole relief sought is a money judgment, and where no party asserts a claim in excess of ten thousand dollars, or if approved by the superior court of a county by majority vote of the judges thereof, ~~((fifteen))~~ up to twenty-five thousand dollars, exclusive of interest and costs, are subject to mandatory arbitration."

With the consent of the House, Mr. Appelwick withdrew the amendment.

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

On page 1, line 1 of the title after "RCW 7.04.090" insert "and 7.06.020"

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

Mr. P. King spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 58, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Grimm, van Dyke - 2.

Engrossed 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.

MOTION

On motion of Mr. J. King, the House was adjourned until 10:30 a.m.,  
Wednesday, March 6, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk

## FIFTY-SECOND DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, March 6, 1985.

The House was called to order at 10:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Bond, Holland and Tanner. Representative Bond was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Laura Fougèrouse and Allison Forrester, a Rotary Exchange student from Australia. Prayer was offered by Reverend Hilton Jarvis, Lacey Baptist Church.

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

## SPEAKER'S PRIVILEGE

The Speaker recognized within the House Chamber the 1985 Daffodil Queen and appointed Representatives Winsley, Grimm and Walk to escort her to the rostrum.

The Speaker introduced Queen Jamie Marty and she briefly addressed the House.

The Speaker instructed the special committee to escort Queen Jamie from the House Chamber.

## MESSAGES FROM THE SENATE

March 4, 1985

Mr. Speaker:

The President has signed:

HOUSE JOINT RESOLUTION NO. 12,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 4, 1985

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 3096,

SUBSTITUTE SENATE BILL NO. 3332,

ENGROSSED SENATE BILL NO. 3612,

ENGROSSED SUBSTITUTE SENATE BILL NO. 3778,

SENATE JOINT MEMORIAL NO. 128,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

March 5, 1985

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 3011,

SENATE BILL NO. 3147,

SENATE BILL NO. 3167,

SUBSTITUTE SENATE BILL NO. 3220,

SENATE BILL NO. 3287,

ENGROSSED SENATE BILL NO. 3527,

SUBSTITUTE SENATE BILL NO. 3536,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.



## INTRODUCTIONS AND FIRST READING

SB 3011 by Senator Lee

Requiring uniform fees for copies of public records.

Referred to Committee on State Government.

ESB 3096 by Senators Talmadge and Halsan; by Secretary of State request

Regarding the elections held to fill the vacancies in federal offices.

Referred to Committee on Constitution, Elections & Ethics.

SB 3147 by Senators Granlund, Kreidler, Kiskaddon, Deccio and Johnson; by Department of Corrections request

Allowing institutional industries to purchase products and services for resale.

Referred to Committee on Social & Health Services.

SB 3167 by Senators Talmadge, Hayner and DeJarnatt

Extending timeshare regulation.

Referred to Committee on Judiciary.

SSB 3220 by Committee on Governmental Operations (originally sponsored by Senator Owen)

Authorizing access to autopsy reports.

Referred to Committee on Local Government.

SB 3287 by Senators McDermott, Guess, Rinehart, Granlund, Cantu, Bailey and Barr; by Secretary of State request

Broadening the state's duty to pay prorated election costs.

Referred to Committee on Constitution, Elections & Ethics.

SSB 3332 by Committee on Education (originally sponsored by Senators Bauer, Zimmerman, Thompson, Barr, Patterson and Stratton)

Modifying the self-insurance authority of joint governmental entities.

Referred to Committee on Education.

ESB 3527 by Senators Bender, Bauer, Lee and Gaspard

Revising limitations on the ratio of students to teachers in grades K-3.

Referred to Committee on Education.

SSB 3536 by Committee on Commerce & Labor (originally sponsored by Senators Vognild, Bailey, McManus, McCaslin and Moore)

Revising the powers of public utility districts.

Referred to Committee on Energy & Utilities.

ESB 3612 by Senators Gaspard, Kiskaddon, Johnson, Bauer, Bender, Wojahn and Conner

Placing a two-year freeze on the excess levy lid reduction and studying excess levies.

Referred to Committee on Education.

ESSB 3778 by Committee on Education (originally sponsored by Senators Gaspard and Bauer; by Superintendent of Public Instruction request)

Revising the basic education formula.

Referred to Committee on Education.

SJM 128 by Senators Bottiger and Moore

Requesting the United States custom service to retain one headquarters for all west coast ports.

Referred to Committee on Trade & Economic Development.

## MOTIONS

On motion of Mr. J. King, the bills listed on today's introduction sheet were considered first reading under the fourth order of business and referred to the committees designated with the exception of Senate Joint Memorial No. 128.

On motion of Mr. J. King, the rules were suspended and Senate Joint Memorial No. 128 was advanced to second reading and read the second time in full.

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

Mr. McMullen spoke in favor of the memorial.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Joint Memorial No. 128, and the memorial passed the House by the following vote: Yeas, 95; absent, 2; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Absent: Representatives Holland, Tanner - 2.

Excused: Representative Bond - 1.

Senate Joint Memorial No. 128, having received the constitutional majority, was declared passed.

Representatives Holland and Tanner appeared at the bar of the House.

## REPORTS OF STANDING COMMITTEES

March 4, 1985

HB 174 Prime Sponsor, Representative Valle: Providing programs for educational excellence. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ebersole, Chair; Valle, Vice Chair; Appelwick, Betzoff, Chandler, Cole, Holland, P. King, Long, Peery, Rayburn, Rust, Schoon, L. Smith, Taylor, Todd, Walker and Wang.

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

Referred to Committee on Ways & Means.

March 4, 1985

HB 190 Prime Sponsor, Representative Wang: Revising provisions relating to escrow agents. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Betzoff, Chandler, Ebersole, Fisch, Fisher, R. King, O'Brien, Patrick, Sayan, C. Smith, Walker and J. Williams.

Passed to Committee on Rules for second reading.

March 4, 1985

HB 197 Prime Sponsor, Representative Brekke: Providing for adjustment of nursing home rates for energy retrofitting. Reported by Committee on Social & Health Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Brekke, Chair; Day, Vice Chair; Armstrong, Ballard, Brooks, Dellwo, Dobbs, Leonard, Lewis, Lux, Padden, Scott, Tanner, West and Winsley.

Absent: Representatives Braddock and S. Wilson.

Passed to Committee on Rules for second reading.

March 4, 1985

HB 204 Prime Sponsor, Representative Brekke: Changing provisions relating to the board of prison terms and paroles. Reported by Committee on Social & Health Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Brekke, Chair; Day, Vice Chair; Armstrong, Dellwo, Leonard, Lewis, Lux, Scott, Tanner and Winsley.

MINORITY recommendation: Do not pass. Signed by Representatives Braddock, Dobbs, Padden, West and S. Wilson.

Voting nay: Representatives Ballard, Braddock, Brooks, Dobbs, Padden, West and S. Wilson.

Absent: Representative Lux.

Passed to Committee on Rules for second reading.

March 5, 1985

HB 266 Prime Sponsor, Representative Sanders: Revising the eligibility for free fishing licenses. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Sutherland, Chair; Basich, Cole, Dobbs, Fuhrman, Hankins, Hargrove, Haugen, Leonard, Lundquist, D. Nelson, Sanders, Sayan, Thomas, van Dyke, J. Williams and S. Wilson.

Voting nay: Representatives K. Wilson, Vice Chair and McMullen.

Absent: Representatives Dobbs and Hankins.

Passed to Committee on Rules for second reading.

March 5, 1985

HB 297 Prime Sponsor, Representative Jacobsen: Establishing standards for organic food products. Reported by Committee on Agriculture

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Vekich, Chair; Baugher, Vice Chair; Ballard, Bristow, Brooks, Chandler, Doty, Kremen, Madsen, Nealey and Peery.

Absent: Representative Peery.

Passed to Committee on Rules for second reading.

March 5, 1985

HB 315 Prime Sponsor, Representative B. Williams: Establishing criteria for the creation of new state agencies. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Belcher, Chair; Peery, Vice Chair; Baugher, Fuhrman, Hankins, O'Brien, Taylor, Todd, van Dyke, Vekich and Walk.

Passed to Committee on Rules for second reading.

March 1, 1985

HB 358 Prime Sponsor, Representative Sayan: Authorizing employees to inspect their personnel files for irrelevant or erroneous information. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Betzoff, Ebersole, Fisch, Fisher, R. King, O'Brien, Patrick, Sayan and Walker.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, C. Smith and J. Williams.

Passed to Committee on Rules for second reading.

March 1, 1985

HB 403 Prime Sponsor, Representative Nutley: Including aquifers in pollution protection provisions of sewer districts. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Allen, Bristow, Brough, Doty, Ebersole, Hine, Isaacson, May, Patrick, Rayburn, Smitherman, Winsley and Zellinsky.

Passed to Committee on Rules for second reading.

March 5, 1985

HB 420 Prime Sponsor, Representative Locke: Providing free fishing licenses for developmentally disabled persons. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Basich, Belcher, Cole, Dobbs, Hankins, Hargrove, Leonard, Lundquist, McMullen, D. Nelson, Sanders, Sayan, Thomas, van Dyke, J. Williams and S. Wilson.

Voting nay: Representatives Fuhrman and Haugen.

Passed to Committee on Rules for second reading.

March 1, 1985

HB 435 Prime Sponsor, Representative Wang: Revising provisions relating to law enforcement officers and fire fighters. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Betzoff, Chandler, Ebersole, Fisch, Fisher, R. King, O'Brien, Patrick, Sayan and Walker.

MINORITY recommendation: Do not pass. Signed by Representatives C. Smith and J. Williams.

Passed to Committee on Rules for second reading.

March 4, 1985

HB 460 Prime Sponsor, Representative Wang: Restricting telephone solicitation. Reported by Committee on Energy & Utilities

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong, Barnes, Gallagher, Isaacson, Jacobsen, Long, Nealey, Sutherland, Unsoeld and Van Luven.

Absent: Representatives Bond, Madsen and Miller.

Passed to Committee on Rules for second reading.

March 4, 1985

HB 468 Prime Sponsor, Representative Niemi: Requiring occupational safeguard for operators of video display terminals. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Ebersole, Fisch, Fisher, R. King, O'Brien and Sayan.

MINORITY recommendation: Do not pass. Signed by Representatives Betozoff, Chandler, Patrick, C. Smith, Walker and J. Williams.

Passed to Committee on Rules for second reading.

March 1, 1985

HB 495 Prime Sponsor, Representative Dellwo: Authorizing retrocession of jurisdiction over certain Indian land. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, P. King, Lewis, Locke, Niemi, Padden, Schoon, Tilly, Van Luven, West and Wang.

Voting nay: Representatives G. Nelson and Schmidt.

Passed to Committee on Rules for second reading.

March 4, 1985

HB 506 Prime Sponsor, Representative Jacobsen: Establishing a Puget Sound institute. Reported by Select Committee on the Clean-up and Management of Puget Sound

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hine, Chair; Rust, Vice Chair; Haugen, Lundquist, Miller, Schmidt, Smitherman, Thomas, Unsoeld and Wang.

Voting nay: Representative G. Nelson.

Absent: Representatives Dobbs, Grimm, May and Vekich.

Passed to Committee on Rules for second reading.

March 5, 1985

HB 542 Prime Sponsor, Representative Day: Permitting voter registration officers to require proof of age from applicants. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: Do pass. Signed by Representatives Fisher, Chair; Leonard, Vice Chair; Barnes, Barrett, Day, Fisch, Madsen, Miller, Nealey, Sommers and Walker.

Passed to Committee on Rules for second reading.

March 5, 1985

HB 553 Prime Sponsor, Representative Lux: Initiating a feasibility study and pilot project of state production of a litter bag. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Rust, Chair; Unsoeld, Vice Chair; Allen, Barnes, Brekke, Jacobsen, R. King, Lux, Nutley and Valle.

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

Voting nay: Representatives Brough, Isaacson, Lewis and May.

Absent: Representative Bond.

Passed to Committee on Rules for second reading.

March 1, 1985

HB 559 Prime Sponsor, Representative Nutley: Authorizing county legislative authorities to set certain license fees. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Allen, Bristow, Brough, Doty, Ebersole, Hine, Isaacson, May, Patrick, Rayburn, Smitherman, Winsley and Zellinsky.

Voting nay: Representative Zellinsky.

Absent: Representative Ebersole.

Passed to Committee on Rules for second reading.

March 1, 1985

HB 565 Prime Sponsor, Representative Nutley: Authorizing county treasurer to serve as fiscal agent for certain local government units. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Allen, Bristow, Brough, Doty, Ebersole, Hine, Isaacson, May, Patrick, Rayburn, Smitherman, Winsley and Zellinsky.

Absent: Representatives Allen and Ebersole.

Passed to Committee on Rules for second reading.

March 4, 1985

HB 595 Prime Sponsor, Representative Tanner: Adopting community diversion programs and sentencing guidelines for nonviolent offenders. Reported by Committee on Social & Health Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Brekke, Chair; Day, Vice Chair; Armstrong, Dellwo, Braddock, Ballard, Dobbs, Leonard, Lewis, Lux, Padden, Scott, Tanner, West, S. Wilson and Winsley.

Absent: Representative Brooks.

Passed to Committee on Rules for second reading.

March 1, 1985

HB 596 Prime Sponsor, Representative Hine: Authorizing transaction assistance as a remedial program for property in a noise abatement impacted area. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Allen, Bristow, Brough, Doty, Ebersole, Hine, Isaacson, May, Patrick, Rayburn, Smitherman, Winsley and Zellinsky.

Voting nay: Representative Brough.

Passed to Committee on Rules for second reading.

March 1, 1985

HB 620 Prime Sponsor, Representative Sayan: Authorizing services to communities affected by reductions in business operations and the formation of local economic stabilization task forces. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Ebersole, Fisch, Fisher, R. King, O'Brien and Sayan.

MINORITY recommendation: Do not pass. Signed by Representatives Betzoff, Chandler, Patrick, C. Smith, Walker and J. Williams.

Referred to Committee on Ways & Means.

March 4, 1985

HB 680 Prime Sponsor, Representative Rust: Adopting Puget Sound water quality policy. Reported by Select Committee on the Clean-up and Management of Puget Sound

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hine, Chair; Rust, Vice Chair; Haugen, Lundquist, Miller, G. Nelson, Schmidt, Smitherman, Thomas, Unsoeld and Wang.

Absent: Representatives Dobbs, Grimm, May and Vekich.

Passed to Committee on Rules for second reading.

March 4, 1985

HB 694 Prime Sponsor, Representative Grimm: Revising procedures governing school expenditures, allocations, and revenue. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ebersole, Chair; Valle, Vice Chair; Appelwick, Cole, Holland, P. King, Long, Peery, Rayburn, Rust, Schoon, L. Smith, Todd and Wang.

Voting nay: Representatives Chandler, Fuhrman and Taylor.

Referred to Committee on Ways & Means.

March 1, 1985

HB 695 Prime Sponsor, Representative Ebersole: Establishing an office of mediation. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives McMullen, Chair; Kremen, Vice Chair; Braddock, Day, Hargrove, J. King, Niemi, Rayburn, Scott, Smitherman, Tanner, Vekich and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Dobbs, Doty, Lundquist, May, Schoon, Silver, L. Smith, Thomas, van Dyke and B. Williams.

Absent: Representative Schmidt.

Referred to Committee on Ways & Means.

March 1, 1985

HB 723 Prime Sponsor, Representative Armstrong: Modifying provisions relating to B & O tax on persons disposing of radioactive waste. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass with the following amendments:

On page 4, beginning on line 6 strike everything through and including "(P.L. 97-425)." on line 11 and insert "(b) As used in this subsection (13), 'disposing' means: (1) all activities undertaken to select, construct, operate, or monitor a site designed to isolate radioactive waste in a landfill or facility dedicated to the disposal of radioactive waste; and (2) those activities undertaken by the federal government and federal contractors pursuant to the federal nuclear waste policy act of 1982 (P.L. 97-425)."

On page 4, line 11 after "-425)" strike the period and insert "; and 'radioactive waste' means either high level radioactive waste as defined in 42 U.S.C. Sec. 10101 (P.L. 97-425), or low level radioactive waste as defined in chapter 43.145 RCW."

On page 4, after line 22 insert:

"NEW SECTION. Sec. 3. The intent of this act is to provide revenues to enable the state to monitor, evaluate and conduct independent investigations, public information programs, and conflict resolution actions on and off a disposal site related to possible impacts on the state from radioactive waste activities including air quality impacts, water quality impacts, transportation impacts, emergency planning needs and compensation to citizens of this state who may suffer harm because of radioactive waste activities."

Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong, Barnes, Isaacson, Jacobsen, Long, Madsen, Miller, Nealey, Sutherland, Unsoeld and Van Luven.

Absent: Representatives Bond and Gallagher.

Passed to Committee on Rules for second reading.

March 4, 1985

HB 732 Prime Sponsor, Representative Leonard: Revising the controlled substances act. Reported by Committee on Social & Health Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Brekke, Chair; Day, Vice Chair; Armstrong, Ballard, Brooks, Dellwo, Dobbs, Leonard, Lewis, Lux, Padden, West and Winsley.

Absent: Representatives Braddock and S. Wilson.

Passed to Committee on Rules for second reading.

March 1, 1985

HB 738 Prime Sponsor, Representative Vekich: Establishing a community revitalization team. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives McMullen, Chair; Kremen, Vice Chair; Braddock, Day, Hargrove, J. King, Niemi, Rayburn, Scott, Smitherman, Tanner, Vekich and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Dobbs, Doty, Lundquist, May, Schoon, Silver, L. Smith, Thomas, van Dyke and B. Williams

Absent: Representative Schmidt.

Referred to Committee on Ways & Means.

March 1, 1985

HB 798 Prime Sponsor, Representative Nutley: Providing for increased opportunity for affordable housing for low and moderate income persons. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Allen, Bristow, Brough, Doty, Ebersole, Isaacson, May, Patrick, Rayburn, Smitherman, Winsley and Zellinsky.

Absent: Representative Hine.

Passed to Committee on Rules for second reading.

March 4, 1985

HB 839 Prime Sponsor, Representative Cole: Requiring comprehensive land use plans to consider and provide corrective action against discharges into waters entering the Puget Sound. Reported by Select Committee on the Clean-up and Management of Puget Sound

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hine, Chair; Rust, Vice Chair; Haugen, Miller, G. Nelson, Smitherman, Unsoeld and Wang.

MINORITY recommendation: Without recommendation. Signed by Representatives Lundquist and Thomas.

Voting nay: Representatives Lundquist, Schmidt and Thomas.

Absent: Representatives Dobbs, Grimm, May and Vekich.

Passed to Committee on Rules for second reading.

March 1, 1985

HB 855 Prime Sponsor, Representative Wineberry: Establishing the Washington state development finance authority. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives McMullen, Chair; Kremen, Vice Chair; Braddock, Day, Hargrove, J. King, Niemi, Rayburn, Scott, Smitherman, Tanner, Vekich and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Dobbs, Doty, Lundquist, May, Schoon, Silver, L. Smith, Thomas, van Dyke and B. Williams.

Absent: Representative Schmidt.

Passed to Committee on Rules for second reading.

March 1, 1985

HB 856 Prime Sponsor, Representative B. Williams: Modifying provisions on the termination and repeal of agencies and programs. Reported by Committee on State Government



MAJORITY recommendation: Do pass with the following amendments:

On page 6, after line 32 insert the following new section:

"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 shall take effect immediately."

On page 1, line 4 of the title after "46.10.220;" strike "and" and on line 10 after "74.18.990" insert "; and declaring an emergency"

Signed by Representatives Belcher, Chair; Peery, Vice Chair; Baugher, Brooks, Fuhrman, Hankins, O'Brien, Sanders, Taylor, Todd, van Dyke, Vekich and Walk.

Passed to Committee on Rules for second reading.

March 1, 1985

HB 949 Prime Sponsor, Representative D. Nelson: Establishing alternative procedures for municipalities to enter into performance-based contracts for energy equipment and services. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass. Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong, Barnes, Isaacson, Jacobsen, Long, Madsen, Miller, Nealey, Sutherland, Unsoeld and Van Luven.

Absent: Representatives Bond and Gallagher.

Passed to Committee on Rules for second reading.

March 4, 1985

HB 977 Prime Sponsor, Representative J. King: Regulating domestic insurance holding corporations. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Addison, Barrett, Crane, Holland, P. King, Nutley, Prince, West and Winsley.

Voting nay: Representatives Dellwo and Locke.

Absent: Representative Grimm.

Passed to Committee on Rules for second reading.

March 4, 1985

HB 1012 Prime Sponsor, Representative Lux: Regulating commodities investments. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Addison, Barrett, Crane, Dellwo, Holland, P. King, Locke, Nutley, Prince, West and Winsley

Absent: Representative Grimm.

Passed to Committee on Rules for second reading.

March 4, 1985

HB 1013 Prime Sponsor, Representative P. King: Revising procedures governing acquisition of domestic insurers. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Addison, Barrett, Crane, Dellwo, Holland, P. King, Nutley, Prince, West and Winsley.

Absent: Representatives Grimm and Locke.

Passed to Committee on Rules for second reading.

March 1, 1985

HB 1014 Prime Sponsor, Representative D. Nelson: Modifying provisions on the energy facility site evaluation council. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass with the following amendment:  
On page 1, line 19 after "shall" insert "with the concurrence of the council."

Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong, Barnes, Isaacson, Jacobsen, Long, Madsen, Miller, Nealey, Sutherland, Unsoeld and Van Luvan.

Absent: Representatives Bond and Gallagher.

Passed to Committee on Rules for second reading.

March 1, 1985

HB 1046 Prime Sponsor, Representative Lux: Expanding authority for disapproval of health maintenance contracts. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Barrett, Crane, Dellwo, Holland, P. King, Locke, Nutley, Prince, West and Winsley.

Absent: Representatives Addison and Grimm.

Passed to Committee on Rules for second reading.

March 5, 1985

HB 1051 Prime Sponsor, Representative Leonard: Making a general fund appropriation to the department of game. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Basich, Belcher, Cole, Hankins, Hargrove, Haugen, Leonard, Lundquist, McMullen, D. Nelson, Sanders, Sayan, Thomas, van Dyke, J. Williams and S. Wilson.

Voting nay: Representatives Dobbs and Fuhrman.

Referred to Committee on Ways & Means.

March 4, 1985

HB 1075 Prime Sponsor, Representative Valle: Establishing a program for health care education. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass. Signed by Representatives Brekke, Chair; Day, Vice Chair; Armstrong, Ballard, Dellwo, Dobbs, Leonard, Lewis, Lux, Scott, Tanner, West and Winsley.

Voting nay: Representative Padden.

Absent: Representatives Braddock, Brooks, Lux and S. Wilson.

Passed to Committee on Rules for second reading.

March 5, 1985

HJM 22 Prime Sponsor, Representative Lux: Requesting Congress to establish a uniform system to regulate financial institutions. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Addison, Barrett, Crane, Dellwo, Holland, P. King, Locke, Nutley and Winsley.

Voting nay: Representatives Locke and West.

Absent: Representative Grimm.

Passed to Committee on Rules for second reading.

March 5, 1985

HJM 26 Prime Sponsor, Representative D. Nelson: Urging Congress to negotiate a verifiable test ban treaty and to stop nuclear weapons testing. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Belcher, Chair; Peery, Vice Chair; Baugher, O'Brien, Todd, Vekich and Walk.

MINORITY recommendation: Do not pass. Signed by Representatives Brooks, Fuhrman, Hankins, Sanders, Taylor and van Dyke.

Passed to Committee on Rules for second reading.

March 4, 1985

HCR 7 Prime Sponsor, Representative Jacobsen: Extending the Joint Select Committee on Telecommunications. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 9 after "By the" strike "Senate" and insert "House of Representatives"

On page 1, line 10 after "Washington, the" strike "House of Representatives" and insert "Senate"

Signed by Representatives D. Nelson, Chair; Todd, Vice Chair, Armstrong, Barnes, Gallagher, Isaacson, Jacobsen, Long, Nealey, Sutherland, Unsoeld and Van Luven.

Absent: Representatives Bond, Madsen and Miller.

Passed to Committee on Rules for second reading.

#### SECOND READING

HOUSE BILL NO. 93, by Representatives Winsley, Ebersole, Gallagher, Day, Schoon, Leonard, Walker, Brooks, Dellwo, Wang, Cole, Valle, Fisch, P. King, Miller and Rayburn

Requiring immunization prior to school attendance.

The bill was read the second time. On motion of Ms. Brekke, Substitute House Bill No. 93 was substituted for House Bill No. 93 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 93 was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Winsley and Brooks spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 93, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Bond - 1.

Substitute House 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.

HOUSE BILL NO. 98, by Representatives B. Williams, Grimm, Holland, Bristow and Van Luven

Abolishing the gambling revolving fund, the lottery revolving fund, and the state lottery fund.

The bill was read the second time. On motion of Mr. Braddock, Substitute House Bill No. 98 was substituted for House Bill No. 98 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 98 was read the second time.

Mr. B. Williams moved adoption of the following amendments:

On page 6, beginning on line 35 after "appropriated" strike "two million two hundred seventy" and insert "one million eight hundred and two"

On page 7, line 11 after "March" strike "1" and insert "31"

Representatives B. Williams and Braddock spoke in favor of the amendments and they were adopted.

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

HOUSE BILL NO. 127, by Representatives Sutherland and McMullen

Empowering wildlife agents and fisheries patrol officers to enforce state traffic and criminal laws.

The bill was read the second time. On motion of Mr. Sutherland, Substitute House Bill No. 127 was substituted for House Bill No. 127 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 127 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 150, by Representatives Haugen, Brough, Zellinsky, May, Allen, Nutley, Isaacson and Jacobsen

Providing uniform procedures for the creation, elections, and operations of various special purpose districts.

The bill was read the second time. On motion of Ms. Haugen, Substitute House Bill No. 150 was substituted for House Bill No. 150 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 150 was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Haugen and Lundquist spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 150, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Bond - 1.

Substitute House 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.

#### MOTION

Mr. Hastings moved that the Committee on Ways & Means be relieved of HOUSE BILL NO. 63 and the bill be placed at the top of today's second reading calendar.

Representatives Hastings and Doty spoke in favor of the motion, and Mr. J. King spoke against it.

## POINT OF ORDER

Mr. O'Brien: "Mr. Speaker, the motion to commit or refer a bill doesn't open the main question for debate. It's not a debatable motion. You are not to discuss the main question on a motion to commit or relieve a committee of a bill."

## SPEAKER'S RULING

The Speaker: "Representative O'Brien, you are correct. I will remind the members that the question is why the Ways and Means Committee should be relieved of a specific bill, not the merits or demerits of the contents of that bill. I would ask that you restrict your remarks, Representative Doty, to that specific motion which is before us."

Ms. Doty concluded her remarks in favor of the motion.

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

Mr. Ballard spoke in favor of the motion.

## ROLL CALL

The Clerk called the roll on the motion to relieve the Ways & Means Committee of House Bill No. 63, and the motion was lost by the following vote: Yeas, 47; nays, 50; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Baugher, Betzoff, Bristow, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G. Padden, Patrick, Prince, Rayburn, Sanders, Schmidt, Schoon, Silver, Smith C. Smith L. Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B. Williams J. Wilson S. Winsley - 47.

Voting nay: Representatives Appelwick, Armstrong, Basich, Belcher, Braddock, Brekke, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J. King P. King R. Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D. Niemi, Nutley, O'Brien, Peery, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K. Wineberry, Zellinsky, and Mr. Speaker - 50.

Excused: Representative Bond - 1.

HOUSE BILL NO. 166, by Representatives Sayan, Sommers, Belcher, Prince and Jacobsen

Changing provisions relating to public university and college construction bids.

The bill was read the second time. On motion of Ms. Sommers, Substitute House Bill No. 166 was substituted for House Bill No. 166 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 166 was read the second time.

Mr. Zellinsky moved adoption of the following amendments by Representatives Zellinsky, Baugher and Miller:

On page 1, line 10 strike "~~((remodeling:))~~" insert "remodeling," and strike "~~((ordinary))~~" and insert "ordinary"

On page 1, line 17 strike "~~((remodeling:))~~" and insert "remodeling."

On page 1, line 22 strike "~~((remodeling:))~~" and insert "remodeling."

On page 2, line 8 strike "~~((remodeling:))~~" and insert "remodeling."

Representatives Zellinsky and Sommers spoke in favor of the amendments, and they were adopted.

Mr. Zellinsky moved adoption of the following amendments by Representatives Zellinsky, Baugher and Miller:

On page 1, line 12 after "~~((seventeen))~~" strike "thirty" and insert "twenty-five"

On page 1, line 18 after "~~((seventeen))~~" strike "thirty" and insert "twenty-five"

On page 2, line 9 after "~~((seventeen))~~" strike "thirty" and insert "twenty-five"

Representatives Zellinsky, Miller, G. Nelson, Van Luven, J. Williams and Barnes spoke in favor of the amendments, and Representatives Sommers, Prince and Sayan spoke against them.

Ms. Miller spoke again in favor of the amendments.

## ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Zellinsky and others to Substitute House Bill No. 166, and the amendments were adopted by the following vote: Yeas, 60; nays, 37; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Baugher, Braddock, Bristow, Brooks, Chandler, Crane, Day, Dobbs, Doty, Ebersole, Fisch, Fuhrman, Gallagher, Hankins, Hargrove, Hastings, Holland, Isaacson, King J, King P, Kremen, Lewis, Locke, Long, Lundquist, Madsen, May, McMullen, Miller, Nealey, Nelson G, Padden, Patrick, Peery, Rayburn, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Sutherland, Taylor, Thomas, Tilly, van Dyke, Van Luven, Walker, West, Williams B, Williams J, Wilson S, Winsley, Zellinsky - 60.

Voting nay: Representatives Appelwick, Armstrong, Basich, Belcher, Betrozoff, Brekke, Brough, Cole, Dellwo, Fisher, Grimm, Haugen, Hine, Jacobsen, King R, Leonard, Lux, Nelson D, Niemi, Nutley, O'Brien, Prince, Rust, Sayan, Scott, Sommers, Tanner, Todd, Unsoeld, Valle, Vander Stoep, Vekich, Walk, Wang, Wilson K, Wineberry, and Mr. Speaker - 37.

Excused: Representative Bond - 1.

Mr. Zellinsky moved adoption of the following amendment by Representatives Zellinsky, Baugher and Miller:

On page 1, line 23 after "~~(ten)~~" strike "fifteen" and insert "ten"

Representatives Zellinsky and Miller spoke in favor of the amendment and Representatives Sommers and Vander Stoep spoke against it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Zellinsky and others to page 1, line 23 of Substitute House Bill No. 166, and the amendment was adopted by the following vote: Yeas, 55; nays, 42; excused, 1.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Baugher, Braddock, Bristow, Brooks, Chandler, Day, Dobbs, Doty, Ebersole, Fisch, Fuhrman, Gallagher, Hankins, Hargrove, Hastings, Holland, Isaacson, King J, King P, Kremen, Lewis, Long, Madsen, May, McMullen, Miller, Nealey, Nelson G, Padden, Patrick, Peery, Rayburn, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Sutherland, Taylor, Thomas, Valle, van Dyke, Van Luven, Walker, West, Williams B, Williams J, Wilson S, Zellinsky - 55.

Voting nay: Representatives Allen, Appelwick, Armstrong, Basich, Belcher, Betrozoff, Brekke, Brough, Cole, Crane, Dellwo, Fisher, Grimm, Haugen, Hine, Jacobsen, King R, Leonard, Locke, Lundquist, Lux, Nelson D, Niemi, Nutley, O'Brien, Prince, Rust, Sayan, Scott, Sommers, Tanner, Tilly, Todd, Unsoeld, Vander Stoep, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, and Mr. Speaker - 42.

Excused: Representative Bond - 1.

Mr. Zellinsky moved adoption of the following amendment by Representatives Zellinsky, Baugher and Miller:

On page 2, after line 24 strike all the material down to and including "thousand," on line 33.

Mr. Zellinsky spoke in favor of the amendment, and Ms. Sommers spoke against it.

The amendment was adopted.

Substitute House Bill No. 166 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 173, by Representatives D. Nelson, Barnes and Fisher

Permitting the optional designation of party preference on voters' registration forms.

The bill was read the second time. Committee on Constitution, Elections & Ethics recommendation: Majority, do pass as amended. (For amendments, see Journal, 36th Day, February 18, 1985.)

On motion of Ms. Fisher, the committee amendments were adopted.

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

MOTIONS

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

On motion of Mr. J. King, HOUSE BILL NO. 1279 was rereferred from Committee on Rules to Committee on Energy & Utilities.

MOTION

On motion of Mr. J. King, the House adjourned until 10:30 a.m., Friday, March 8, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk

## FIFTY-FOURTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Friday, March 8, 1985.

The House was called to order at 10:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representative Bond.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Kathleen McColloch and Tom Pense. Prayer was offered by Father Raymond Heffernan, Holy Cross Church of Tacoma.

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

## MESSAGES FROM THE SENATE

March 6, 1985

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3090,  
SUBSTITUTE SENATE BILL NO. 3180,  
SUBSTITUTE SENATE BILL NO. 3309,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 7, 1985

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3094,  
SUBSTITUTE SENATE BILL NO. 3166,  
SUBSTITUTE SENATE BILL NO. 3387,  
SUBSTITUTE SENATE BILL NO. 3392,  
SUBSTITUTE SENATE BILL NO. 3459,  
ENGROSSED SENATE BILL NO. 3467,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 7, 1985

Mr. Speaker:

The President has signed:

SENATE JOINT MEMORIAL NO. 128,

and the same is herewith transmitted.

Sidney R. Snyder Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE JOINT MEMORIAL NO. 128.

## INTRODUCTIONS AND FIRST READING

SSB 3090 by Committee on Judiciary (originally sponsored by Senators Talmadge and Halsan)

Providing for state reimbursement of the expenses of law enforcement officers in coroner's inquests.

Referred to Committee on Judiciary.



SSB 3094 by Committee on Judiciary (originally sponsored by Senators Talmadge, Newhouse, Halsan and Hayner)

Modifying provisions relating to deeds of trust.

Referred to Committee on Judiciary.

SSB 3166 by Committee on Agriculture (originally sponsored by Senators Bailey, Hansen, Goltz, Barr and Bauer)

Providing for increased support for advertising Washington dairy products.

Referred to Committee on Agriculture.

SSB 3180 by Committee on Governmental Operations (originally sponsored by Senator Kreidler)

Requiring salary surveys to be completed by September 30 prior to legislative session.

Referred to Committee on State Government.

SSB 3309 by Committee on Governmental Operations (originally sponsored by Senators Granlund and Zimmerman)

Authorizing county legislative authorities to set certain license fees.

Referred to Committee on Local Government.

SSB 3387 by Committee on Governmental Operations (originally sponsored by Senators Bauer, Zimmerman, Thompson, McCaslin and Deccio)

Permitting installment payments for certain sewer connection costs.

Referred to Committee on Local Government.

SSB 3392 by Committee on Commerce & Labor (originally sponsored by Senators Warnke, Newhouse, Vognild, Cantu, McManus, Lee and Benitz)

Modifying provisions on the department of commerce and economic development.

Referred to Committee on Trade & Economic Development.

SSB 3459 by Committee on Governmental Operations (originally sponsored by Senators Thompson, Hayner and Bottiger)

Determining the order of candidates' names on primary and sample ballots.

Referred to Committee on Constitution, Elections & Ethics.

ESB 3467 by Senators Hansen, Peterson, Barr and Sellar

Relating to legislative authority governing rail districts.

Referred to Committee on Transportation.

#### MOTION

On motion of Mr. J. King, the bill listed on today's introduction calendar were considered first reading under the fourth order of business and referred to the committees designated.

#### REPORTS OF STANDING COMMITTEES

March 6, 1985

HB 10 Prime Sponsor, Representative Dellwo: Returning a regular driver's license to certain persons. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, P. King, Lewis, Locke, G. Nelson, Padden, Schmidt, Schoon, Tilly, Van Luven, West and Wang.

Absent: Representatives Appelwick, Lewis and Niemi.

Passed to Committee on Rules for second reading.

March 7, 1985

HB 70 Prime Sponsor, Representative Rust: Revising provisions relating to solid wastes. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Unsoeld, Vice Chair; Allen, Barnes, Brough, Isaacson, Jacobsen, R. King, Lewis, May, Nutley and Valle.

Absent: Representatives Bond, Brække, Lewis and Lux.

Passed to Committee on Rules for second reading.

March 6, 1985

HB 123 Prime Sponsor, Representative Unsoeld: Enlarging the class of persons entitled to cash out annual leave. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Brække, Bristow, Hastings, Hine, Holland, Locke, Long, Madsen, G. Nelson, Niemi, Rust, Sanders, Sayan, Silver, L. Smith, Smitherman, Sommers, Taylor, Tilly, Vander Stoep and B. Williams.

Passed to Committee on Rules for second reading.

March 6, 1985

HB 133 Prime Sponsor, Representative Dellwo: Permitting more motels to be listed on highway information panels. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walk, Chair; Wineberry, Vice Chair; Betzoff, Brough, Fisch, Fisher, Gallagher, Hankins, Kremen, McMullen, Patrick, C. Smith, Sutherland, Tanner, Valle, Van Luven and J. Williams.

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

Voting nay: Representatives Lundquist, Schmidt and Thomas.

Absent: Representatives Bond, Prince, Tanner and K. Wilson.

Passed to Committee on Rules for second reading.

March 6, 1985

HB 183 Prime Sponsor, Representative Day: Expanding the sales and use tax exemption for meals furnished to senior citizens. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass. Signed by Representatives Brække, Chair; Day, Vice Chair; Armstrong, Ballard, Braddock, Brooks, Dellwo, Dobbs, Leonard, Lewis, Lux, Padden, Scott, Tanner and Winsley.

Absent: Representatives Dobbs, Lux, West and S. Wilson.

Passed to Committee on Rules for second reading.

March 6, 1985

HB 203 Prime Sponsor, Representative Patrick: Limiting the use of county road funds to road purposes after three years. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walk, Chair; Wineberry, Vice Chair; Baugher, Betzoff, Brough, Fisch, Fisher, Gallagher, Hankins, Haugen, Kremen, Lundquist, McMullen, Patrick, Prince, Schmidt, C. Smith, Sutherland, Tanner, Thomas, Valle, Van Luven, J. Williams, K. Wilson and Zellinsky.

Voting nay: Representative Prince.

Absent: Representatives Bond, Haugen and Lundquist.

Passed to Committee on Rules for second reading.

March 6, 1985

HB 270 Prime Sponsor, Representative Locke: Certifying the practice of acupuncture. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill by Committee on Social & Health Services be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Brekke, Bristow, Hastings, Hine, Holland, J. King, Locke, Long, Madsen, G. Nelson, Niemi, Rust, Sanders, Sayan, Silver, L. Smith, Smitherman, Sommers, Taylor, Tilly, Vander Stoep and B. Williams.

Passed to Committee on Rules for second reading.

March 7, 1985

HB 286 Prime Sponsor, Representative Wineberry: Permitting installment payments of tuition and fees at institutions of higher education. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Sommers, Chair; Jacobsen, Vice Chair; Allen, Basich, Belcher, Hastings, Miller, D. Nelson, G. Nelson, Prince, Silver, Unsoeld, Vander Stoep, K. Wilson and Wineberry.

Passed to Committee on Rules for second reading.

March 7, 1985

HB 290 Prime Sponsor, Representative Jacobsen: Permitting increased funding for higher education financial aid. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Jacobsen, Vice Chair; Allen, Belcher, Miller, D. Nelson, G. Nelson, Prince, Unsoeld, K. Wilson and Wineberry.

Voting nay: Representatives Sommers, Chair; Basich, Hastings, Silver and Vander Stoep.

Passed to Committee on Rules for second reading.

March 5, 1985

HB 294 Prime Sponsor, Representative Sanders: Removing the authority of the game department to pay claims for or prevent damage by wildlife. Reported by Committee on Agriculture

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Vekich, Chair; Baugher, Vice Chair; Ballard, Bristow, Brooks, Chandler, Doty, Kremen, Madsen, Nealey and Peery.

Absent: Representative Peery.

Passed to Committee on Rules for second reading.

March 5, 1985

HB 379 Prime Sponsor, Representative O'Brien: Revising LID laws. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Allen, Bristow, Brough, Doty, Ebersole, Hine, Isaacson, May, Patrick, Rayburn, Smitherman, Winsley and Zellinsky.

Passed to Committee on Rules for second reading.

March 6, 1985

HB 393 Prime Sponsor, Representative Brooks: Revising state competitive bidding procedures. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Belcher, Chair; Peery, Vice

Chair; Baugher, Brooks, Fuhrman, Hankins, O'Brien, Sanders, Taylor, Todd, van Dyke and Walk.

Absent: Representative Vekich.

Passed to Committee on Rules for second reading.

March 6, 1985

HB 397 Prime Sponsor, Representative Brekke: Changing provisions relating to certificate of need reviews. Reported by Committee on Social & Health Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Brekke, Chair; Day, Vice Chair; Armstrong, Dellwo, Leonard, Lewis, Lux, Scott and Tanner.

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

Voting nay: Representatives Ballard, Brooks, Dobbs, Padden, West and S. Wilson.

Absent: Representative Braddock.

Passed to Committee on Rules for second reading.

March 5, 1985

HB 433 Prime Sponsor, Representative Fisch: Submitting establishment of a state presidential preference primary to a vote of the people. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fisher, Chair; Barrett, Day, Fisch, Miller, Sommers and Walker.

Voting nay: Representatives Leonard, Vice Chair; Barnes, Madsen and Nealey.

Passed to Committee on Rules for second reading.

March 6, 1985

HB 470 Prime Sponsor, Representative Brekke: Providing for the registration and certification of mental health professionals. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill by Committee on Social & Health Services be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Brekke, Hine, J. King, Madsen, Niemi, Rust, Sayan, L. Smith, Smitherman and Sommers.

MINORITY recommendation: Do not pass. Signed by Representatives G. Nelson and Sanders.

Voting nay: Representatives Hastings, Holland, Long, G. Nelson, Sanders, Silver, Vander Stoep and B. Williams.

Passed to Committee on Rules for second reading.

March 6, 1985

HB 480 Prime Sponsor, Representative Appelwick: Specifying taxable value of improvements owned or being acquired by lessees. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Bristow, Hastings, Hine, Holland, J. King, Locke, Long, Madsen, G. Nelson, Niemi, Rust, Sanders, Sayan, Silver, L. Smith, Smitherman, Sommers, Taylor, Tilly, Vander Stoep and B. Williams.

Passed to Committee on Rules for second reading.

March 5, 1985

HB 484 Prime Sponsor, Representative Basich: Revising provisions relating to sale of timber and other materials from state lands. Reported by Committee on Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Basich, Dobbs, Hankins, Hargrove, Haugen, Leonard, Lundquist, McMullen, D. Nelson, Sayan, Thomas, van Dyke, J. Williams and S. Wilson.

MINORITY recommendation: Do not pass. Signed by Representatives Cole and Sanders.

Voting nay: Representatives Belcher, Cole, Fuhrman and Sanders.

Passed to Committee on Rules for second reading.

March 7, 1985

HB 486 Prime Sponsor, Representative Valle: Funding solid waste management programs. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Unsoeld, Vice Chair; Allen, Barnes, Brough, Isaacson, Jacobsen, R. King, Lewis, Lux, May, Nutley and Valle.

Absent: Representatives Bond, Brekke and Lux.

Passed to Committee on Rules for second reading.

March 4, 1985

HB 594 Prime Sponsor, Representative Tanner: Providing a plan and revenue for institutional industries. Reported by Committee on Social & Health Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Brekke, Chair; Day, Vice Chair; Armstrong, Ballard, Braddock, Dellwo, Leonard, Lewis, Lux, Padden, Scott, Tanner, West, S. Wilson and Winsley.

Absent: Representatives Brooks and Dobbs.

Passed to Committee on Rules for second reading.

March 6, 1985

HB 600 Prime Sponsor, Representative Grimm: Imposing an additional tax on cigarette sales. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Bristow, Hine, J. King, Locke, Niemi, Rust, Sanders, Sayan, Smitherman, Sommers and Tilly.

Voting nay: Representatives Hastings, Holland, Long, Madsen, G. Nelson, Silver, L. Smith, Taylor and B. Williams.

Passed to Committee on Rules for second reading.

March 5, 1985

HB 608 Prime Sponsor, Representative Haugen: Regulating aquaculture activities. Reported by Committee on Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Belcher, Cole, Fuhrman, Haugen, Leonard, Lundquist, McMullen, D. Nelson, Sanders, Thomas, J. Williams and S. Wilson.

MINORITY recommendation: Do not pass. Signed by Representatives Basich, Hargrove, Sayan and van Dyke.

Voting nay: Representatives Basich, Dobbs, Hargrove, Sayan and van Dyke.

Passed to Committee on Rules for second reading.

March 5, 1985

HB 622 Prime Sponsor, Representative Vekich: Modifying provisions on the Washington centennial commission. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefore and the substitute bill do pass. Signed by Representatives McMullen, Chair; Kremen, Vice Chair; Braddock, Day, Doty, Hargrove, J. King, Lundquist, May, Niemi, Rayburn, Schmidt, Schoon, Scott, Silver, L. Smith, Smitherman, Tanner, Thomas, van Dyke, Vekich B. Williams.

Voting nay: Representative Dobbs.

Absent: Representative Wineberry.

Passed to Committee on Rules for second reading.

March 5, 1985

HB 631 Prime Sponsor, Representative Fisch: Authorizing absentee ballots for voters registering late. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fisher, Chair; Leonard, Vice Chair; Barnes, Day, Fisch, Madsen and Sommers.

Voting nay: Representatives Barrett, Miller, Nealey and Walker.

Passed to Committee on Rules for second reading.

March 6, 1985

HB 643 Prime Sponsor, Representative Grimm: Permitting direct billing of employers for payments to the public employees' retirement system. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Brekke, Bristow; Hastings, Hine, Holland, J. King, Locke, Long, Madsen, G. Nelson, Niemi, Rust, Sanders, Sayan, Silver, L. Smith, Smitherman, Sommers, Taylor, Tilly, Vander Stoep and B. Williams.

Passed to Committee on Rules for second reading.

March 5, 1985

HB 649 Prime Sponsor, Representative Ballard: Defining what constitutes the electrical construction trade. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Fisch, Fisher, R. King, O'Brien, Patrick and Sayan.

MINORITY recommendation: Do not pass. Signed by Representatives Betzoff, Chandler, Ebersole, C. Smith, Walker and J. Williams.

Passed to Committee on Rules for second reading.

March 5, 1985

HB 670 Prime Sponsor, Representative Basich: Changing salmon troll license provisions. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Basich, Belcher, Cole, Fuhrman, Hankins, Hargrove, Haugen, Leonard, Lundquist, D. Nelson, Sayan, Thomas, van Dyke and J. Williams.

Absent: Representatives Dobbs, McMullen, Sanders and S. Wilson.

Passed to Committee on Rules for second reading.

March 6, 1985

HB 691 Prime Sponsor, Representative Belcher: Changing provisions relating to funeral directors and embalmers. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Belcher, Chair; Peery, Vice Chair; Baugher, Brooks, Fuhrman, Hankins, O'Brien, Sanders, Taylor, Todd, van Dyke and Walk.

Absent: Representative Vekich.

Passed to Committee on Rules for second reading.

March 5, 1985

HB 712 Prime Sponsor, Representative Sutherland: Permitting claimants to review their industrial insurance files. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Betzoff, Chandler, Ebersole, Fisch, Fisher, R. King, O'Brien, Patrick, Sayan, C. Smith, Walker and J. Williams.

Passed to Committee on Rules for second reading.

March 6, 1985

HB 747 Prime Sponsor, Representative Locke: Extending the attorney general's authority to investigate crimes. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, P. King, Lewis, Locke, G. Nelson, Padden, Schmidt, Schoon, Tilly, Van Luven, West and Wang.

Absent: Representatives Appelwick, Lewis and Niemi.

Passed to Committee on Rules for second reading.

March 6, 1985

HB 765 Prime Sponsor, Representative Braddock: Providing for optional PERS membership for city managers. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Brekke, Bristow, Hastings, Hine, Holland, J. King, Long, Madsen, G. Nelson, Niemi, Rust, Sanders, Sayan, Silver, L. Smith, Smitherman, Sommers, Taylor, Tilly, Vander Stoep and B. Williams.

Voting nay: Representative Locke.

Passed to Committee on Rules for second reading.

March 6, 1985

HB 785 Prime Sponsor, Representative B. Williams: Establishing the legislative oversight committee. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Belcher, Chair; Peery, Vice Chair; Baugher, Brooks, Fuhrman, Hankins, O'Brien, Sanders, Taylor, Todd, van Dyke and Walk.

Absent: Representative Vekich.

Passed to Committee on Rules for second reading.

March 6, 1985

HB 799 Prime Sponsor, Representative Scott: Encouraging school districts to provide community service programs on parenting and the problems of child abuse. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ebersole, Chair; Valle, Vice Chair; Appelwick, Betzoff, Chandler, Cole, Fuhrman, Holland, P. King, Long, Peery, Rayburn, Rust, Schoon, Taylor, Todd, Walker and Wang.

Absent: Representative L. Smith.

Passed to Committee on Rules for second reading.

March 7, 1985

HB 804 Prime Sponsor, Representative Scott: Establishing a program to recycle auto and truck tires. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Unsoeld, Vice Chair; Allen, Barnes, Brough, Isaacson, Jacobsen, R. King, Lewis, Lux, May, Nutley and Valle.

Absent: Representatives Unsoeld, Vice Chair; Bond, Brekke and Lux.

Passed to Committee on Rules for second reading.

March 6, 1985

HB 805 Prime Sponsor, Representative Scott: Requiring training in recognizing potential victims of child abuse. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ebersole, Chair; Valle, Vice Chair; Appelwick, Betrozoff, Chandler, Cole, Fuhrman, Holland, P. King, Long, Peery, Rayburn, Rust, Schoon, Taylor, Todd, Walker and Wang.

Absent: Representative L. Smith.

Passed to Committee on Rules for second reading.

March 6, 1985

HB 808 Prime Sponsor, Representative Appelwick: Providing for the property tax valuation of destroyed property which is replaced. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with the following amendment:  
On page 2, line 3 after "date" strike the period and insert "in subsection (1)."

Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Bristow, Hastings, Hine, Holland, J. King, Locke, Long, Madsen, G. Nelson, Niemi, Rust, Sanders, Sayan, Silver, L. Smith, Smitherman, Taylor, Tilly, Vander Stoep and B. Williams.

Passed to Committee on Rules for second reading.

March 5, 1985

HB 831 Prime Sponsor, Representative Kremen: Publicizing local government bond information. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Allen, Bristow, Brough, Doty, Ebersole, Hine, Isaacson, May, Patrick, Rayburn, Smitherman, Winsley and Zellinsky.

Passed to Committee on Rules for second reading.

March 7, 1985

HB 836 Prime Sponsor, Representative Zellinsky: Requiring health care services contractors to issue checks directly to health care providers upon direction of the subscriber. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Addison, Barrett, Crane, Dellwo, Grimm, Holland, P. King, Nutley and Winsley.

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

Voting nay: Representatives Prince and West.

Passed to Committee on Rules for second reading.

March 6, 1985

HB 853 Prime Sponsor, Representative Appelwick: Establishing a system of certificates of title for vessels and watercraft. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Wineberry, Vice Chair; Baugher, Betrozoff, Brough, Fisch, Gallagher,



Hankins, Haugen, Lundquist, McMullen, Patrick, Prince, Schmidt, Tanner, Thomas and Zellinsky.

Voting nay: Representatives Fisher, Kremen, C. Smith, Sutherland and Valle.

Absent: Representatives Bond, Lundquist, McMullen, Schmidt, Tanner, J. Williams and K. Wilson.

Passed to Committee on Rules for second reading.

March 5, 1985

HB 865 Prime Sponsor, Representative Valle: Creating a toxic information and education office. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Unsoeld, Vice Chair; Allen, Barnes, Brekke, Brough, Isaacson, Jacobsen, R. King, Lewis, Lux, May, Nutley and Valle.

Absent: Representative Bond.

Passed to Committee on Rules for second reading.

March 6, 1985

HB 870 Prime Sponsor, Representative Zellinsky: Providing special license plates for street rods. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walk, Chair; Wineberry, Vice Chair; Baugher, Betrozoff, Brough, Fisch, Gallagher, Hankins, McMullen, Patrick, Schmidt, C. Smith, Sutherland, Thomas, Valle, Van Luven, J. Williams and Zellinsky.

Voting nay: Representatives Fisher and Kremen.

Absent: Representatives Bond, Lundquist, McMullen and K. Wilson.

Passed to Committee on Rules for second reading.

March 6, 1985

HB 879 Prime Sponsor, Representative Armstrong: Revising laws against drunk driving. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, P. King, Lewis, G. Nelson, Padden, Schmidt, Schoon, Tilly, Van Luven, West and Wang.

Absent: Representatives Appelwick, Locke, Niemi and Schmidt.

Passed to Committee on Rules for second reading.

March 5, 1985

HB 890 Prime Sponsor, Representative Nealey: Reestablishing procedures for certain agricultural liens. Reported by Committee on Agriculture

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Vekich, Chair; Baugher, Vice Chair; Ballard, Bristow, Brooks, Chandler, Doty, Madsen and Nealey.

Absent: Representatives Kremen and Peery.

Passed to Committee on Rules for second reading.

March 6, 1985

HB 914 Prime Sponsor, Representative Appelwick: Modifying the distribution of timber taxes. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 8 after "distributed" strike "at the beginning of" and insert "in"  
 On page 2, line 9 after "distributed" strike "at the beginning of" and insert "in"  
 On page 2, line 21 after "distributed" strike "at the beginning of" and insert "in"  
 On page 2, line 22 after "distributed" strike "at the beginning of" and insert "in"

Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Brekke, Bristow, Hastings, Hine, Holland, J. King, Locke, Long, Madsen, G. Nelson, Niemi, Rust, Sanders, Sayan, Silver, L. Smith, Smitherman, Sommers, Taylor, Tilly, Vander Stoep and B. Williams.

Passed to Committee on Rules for second reading.

March 5, 1985

HB 936 Prime Sponsor, Representative Crane: Restricting exercise of due-on-sale clauses. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Addison, Barrett, Crane, Dellwo, Holland, P. King, Locke, Nutley, West and Winsley.

Voting nay: Representatives Lux, Chair, and Prince.

Absent: Representative Grimm.

Passed to Committee on Rules for second reading.

March 5, 1985

HB 943 Prime Sponsor, Representative Scott: Establishing a Washington technology exchange. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 15 after "created" insert ", within the department of commerce and economic development."

Signed by Representatives McMullen, Chair; Kremen, Vice Chair; Braddock, Day, Hargrove, J. King, Niemi, Rayburn, Schoon, Scott, L. Smith, Smitherman, Tanner, Thomas, Vekich and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Dobbs, Doty, Lundquist, May, Silver and van Dyke.

Voting nay: Representatives Dobbs, Doty, Lundquist, May, Silver, van Dyke and B. Williams.

Absent: Representative Schmidt.

Passed to Committee on Rules for second reading.

March 5, 1985

HB 973 Prime Sponsor, Representative Rust: Revising certain provisions relating to outdoor recreation. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Unsoeld, Vice Chair; Allen, Brekke, Brough, Jacobsen, Lux, Nutley and Valle.

MINORITY recommendation: Do not pass. Signed by Representatives Isaacson, R. King, Lewis and May.

Voting nay: Representatives Barnes, Isaacson, R. King, Lewis and May.

Absent: Representative Bond.

Passed to Committee on Rules for second reading.

March 6, 1985

HB 999 Prime Sponsor, Representative Appelwick: Providing for the allocation of funds and programs for educational clinics. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Ebersole, Chair; Valle, Vice Chair; Appelwick, Betzoff, Chandler, Cole, Fuhrman, Holland, Long, Peery, Rayburn, Rust, Schoon, Taylor, Walker and Wang.

Absent: Representatives P. King, Long, Schoon, L. Smith, Todd and Wang.

Passed to Committee on Rules for second reading.

March 7, 1985

HB 1092 Prime Sponsor, Representative Betrozoff: Specifying maximum hours of labor. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Betrozoff, Chandler, Fisch, Fisher, R. King, Patrick, Sayan, C. Smith, Walker, and J. Williams.

Absent: Representatives Ebersole, R. King, O'Brien and J. Williams.

Passed to Committee on Rules for second reading.

March 6, 1985

HB 1106 Prime Sponsor, Representative Long: Providing grants to schools using parents, teachers aides, and volunteers for certain instructional purposes. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ebersole, Chair; Betrozoff, Chandler, Fuhrman, Holland, Long, Rayburn, Rust, Todd, Walker and Wang.

MINORITY recommendation: Do not pass. Signed by Representatives Valle, Vice Chair; Cole, Peery and Schoon.

Voting nay: Representatives Valle, Vice Chair; Cole, Peery, Rust and Schoon.

Absent: Representatives Appelwick, P. King and L. Smith.

Passed to Committee on Rules for second reading.

March 6, 1985

HB 1107 Prime Sponsor, Representative Long: Requiring a valid driver's license for issuance of a vehicle license. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walk, Chair; Betrozoff, Brough, Fisch, Fisher, Hankins, Haugen, Kremen, Patrick, Prince, Schmidt, C. Smith, Sutherland, Tanner, Valle, Van Luven and K. Wilson.

Voting nay: Representatives Wineberry, Vice Chair; Gallagher.

Absent: Representatives Bond, Lundquist, McMullen, Thomas and Zellinsky.

Passed to Committee on Rules for second reading.

March 7, 1985

HB 1114 Prime Sponsor, Representative Todd: Revising procedures for adoption of energy related building standards. Reported by Committee on Energy & Utilities

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong, Gallagher, Jacobsen, Long, Madsen, Sutherland and Unsoeld.

MINORITY recommendation: Do not pass. Signed by Representatives Barnes, Bond, Isaacson, Miller, Nealey and Van Luven.

Passed to Committee on Rules for second reading.

March 6, 1985

HB 1143 Prime Sponsor, Representative Cole: Changing certain requirements regarding public schools needs assessments. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ebersole, Chair; Valle, Vice Chair; Appelwick, Betrozoff, Chandler, Cole, Fuhrman, Holland, P. King, Long, Peery, Rayburn, Rust, Schoon, Taylor, Walker and Wang.

Absent: Representatives L. Smith and Todd.

Passed to Committee on Rules for second reading.

March 5, 1985

HB 1153 Prime Sponsor, Representative Fisher: Facilitating registration and voting by handicapped persons. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Fisher, Chair; Leonard, Vice Chair; Barnes, Barrett, Day, Fisch, Madsen, Miller, Nealey, Sommers and Walker.

Passed to Committee on Rules for second reading.

March 5, 1985

HB 1157 Prime Sponsor, Representative Niemi: Requiring a study of potential benefits of linking the high technology center to an incubator. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives McMullen, Chair; Kremen, Vice Chair; Braddock, Day, Doty, Hargrove, J. King, Niemi, Rayburn, Scott, Silver, Smitherman, Tanner, Vekich and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Dobbs, Lundquist, May, Schmidt, Schoon, L. Smith and van Dyke.

Voting nay: Representatives Dobbs, Lundquist, May, Schmidt, Schoon, L. Smith, Thomas, van Dyke and B. Williams.

Passed to Committee on Rules for second reading.

March 5, 1985

HB 1170 Prime Sponsor, Representative Lux: Adding requirements to the worker and community right to know act. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Unsoeld, Vice Chair; Allen, Brekke, Brough, Jacobsen, R. King, Lux, Nutley and Valle.

MINORITY recommendation: Do not pass. Signed by Representatives Isaacson, Lewis and May.

Voting nay: Representatives Barnes, Isaacson, Lewis and May.

Absent: Representative Bond.

Passed to Committee on Rules for second reading.

March 6, 1985

HB 1182 Prime Sponsor, Representative J. King: Requiring the use of safety belts and child safety seats in motor vehicles. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Wineberry, Vice Chair; Baugher, Betrozoff, Fisher, Gallagher, Hankins, Haugen, Kremen, Lundquist, McMullen, Patrick, Prince, Sutherland, Tanner, Thomas, Valle, Van Loven and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representative J. Williams.

Voting nay: Representatives Walk, Chair; Brough, Schmidt, C. Smith, Thomas and J. Williams.

Absent: Representative Bond.

Passed to Committee on Rules for second reading.

March 5, 1985

HB 1189 Prime Sponsor, Representative Bristow: Providing for noxious weed control funding. Reported by Committee on Agriculture

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Baugher, Vice Chair; Ballard, Bristow, Brooks, Chandler, Doty, Nealey and Peery.

Voting nay: Representatives Vekich, Chair; Kremen and Madsen.

Passed to Committee on Rules for second reading.

March 6, 1985

HB 1191 Prime Sponsor, Representative Brough: Providing for equitable distribution of county property to new city. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Allen, Bristow, Brough, Doty, Ebersole, Hine, Isaacson, May and Patrick.

Voting nay: Representatives Rayburn, Smitherman, Winsley and Zellinsky.

Passed to Committee on Rules for second reading.

March 5, 1985

HB 1207 Prime Sponsor, Representative McMullen: Relating to employment and training. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives McMullen, Chair; Kremen, Vice Chair; Braddock, Day, Doty, Hargrove, J. King, Lundquist, May, Niemi, Rayburn, Schmidt, Schoon, Scott, Silver, L. Smith, Smitherman, Tanner, Thomas, van Dyke, Vekich, B. Williams, and Wineberry.

Voting nay: Representative Dobbs.

Absent: Representative Hargrove.

Passed to Committee on Rules for second reading.

March 5, 1985

HB 1234 Prime Sponsor, Representative Vekich: Relating to agricultural marketing. Reported by Committee on Agriculture

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Vekich, Chair; Baugher, Vice Chair; Ballard, Bristow, Brooks, Chandler, Doty, Kremen, Madsen, Nealey and Peery.

Passed to Committee on Rules for second reading.

March 5, 1985

HJM 15 Prime Sponsor, Representative Lundquist: Requesting steelhead trout be made exclusively a game fish. Reported by Committee on Natural Resources

MAJORITY recommendation: The substitute memorial be substituted therefor and the substitute memorial do pass. Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Basich, Belcher, Cole, Dobbs, Fuhrman, Hankins, Haugen, Leonard, Lundquist, McMullen, Sanders, Sayan, van Dyke, J. Williams and S. Wilson.

Voting nay: Representatives Belcher, Hargrove and D. Nelson.

Passed to Committee on Rules for second reading.

March 5, 1985

HJM 17 Prime Sponsor, Representative K. Wilson: Requesting federal funds for treaty fish management. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 6 after "the" strike "Senate and House of Representatives" and insert "House of Representatives and Senate"

Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Basich, Belcher, Dobbs, Fuhrman, Hargrove, Haugen, Lundquist, McMullen, Sanders, Sayan, Thomas and S. Wilson.

Passed to Committee on Rules for second reading.

March 5, 1985

HJM 25 Prime Sponsor, Representative Addison: Requesting steelhead be designated a national game fish. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 7 after "the" strike "Senate and House of Representatives" and insert "House of Representatives and Senate"

Signed by Representatives Sutherland, Chair; Basich, Belcher, Dobbs, Fuhrman, Hankins, Sanders, Sayan, Thomas, J. Williams and S. Wilson.

MINORITY recommendation: Do not pass. Signed by Representatives Cole, Leonard and D. Nelson.

Voting nay: Representatives Belcher, Cole, Hargrove, Leonard and D. Nelson.

Absent: Representative McMullen.

Passed to Committee on Rules for second reading.

March 6, 1985

SB 3270 Prime Sponsor, Senator McDermott: Modifying tax deferral benefits under public retirement systems. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Brekke, Bristow, Hastings, Hine, Holland, J. King, Locke, Long, Madsen, G. Nelson, Niemi, Rust, Sanders, Sayan, Silver, L. Smith, Smitherman, Sommers, Taylor, Tilly, Vander Stoep and B. Williams.

Passed to Committee on Rules for second reading.

#### SECOND READING

HOUSE BILL NO. 189, by Representatives Madsen, Haugen, Brough, Ebersole, Ballard, Smitherman, Winsley and Holland

Modifying provisions relating to property tax levies by fire protection districts.

The bill was read the second time. On motion of Ms. Haugen, Substitute House Bill No. 189 was substituted for House Bill No. 189 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 189 was read the second time.

On motion of Ms. Sommers, the following amendment was adopted:

On page 1, line 22 after "will not" insert "affect dollar rates which other taxing districts may lawfully claim nor"

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 189, and the bill passed the House by the following vote: Yeas, 95; nays, 2; absent, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J. King

P. King R. Kremen. Leonard. Lewis. Locke. Long. Lundquist. Lux. Madsen. May. McMullen. Miller. Nealey. Nelson D. Nelson G. Niemi. Nutley. O'Brien. Patrick. Peery. Prince. Rayburn. Rust. Sayan. Schmidt. Schoon. Scott. Silver. Smith C. Smith L. Smitherman. Sommers. Sutherland. Tanner. Taylor. Thomas. Tilly. Todd. Unsoeld. Valle. van Dyke. Van Luven. Vander Stoep. Vekich. Walk. Walker. Wang. West. Williams B. Williams J. Wilson K. Wilson S. Wineberry. Winsley. Zellinsky. and Mr. Speaker - 95.

Voting nay: Representatives Padden. Sanders - 2.

Absent: Representative Bond - 1.

Engrossed Substitute 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.

Representative J. Williams was excused.

HOUSE BILL NO. 194, by Representatives Haugen, Miller, Ballard, R. King, Allen and Isaacson

Establishing an alternative procedure for commencing withdrawal of territory from a water or sewer district.

The bill was read the second time. On motion of Ms. Haugen, Substitute House Bill No. 194 was substituted for House Bill No. 194 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 194 was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Haugen and Miller spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 194, and the bill passed the House by the following vote: Yeas, 96; absent, 1; excused, 1.

Voting yea: Representatives Addison. Allen. Appelwick. Armstrong. Ballard. Barnes. Barrett. Basich. Baugher. Belcher. Betrozoff. Braddock. Brekke. Bristow. Brooks. Brough. Chandler. Cole. Crane. Day. Dellwo. Dobbs. Doty. Ebersole. Fisch. Fisher. Fuhrman. Gallagher. Grimm. Hankins. Hargrove. Hastings. Haugen. Hine. Holland. Isaacson. Jacobsen. King J. King P. King R. Kremen. Leonard. Lewis. Locke. Long. Lundquist. Lux. Madsen. May. McMullen. Miller. Nealey. Nelson D. Nelson G. Niemi. Nutley. O'Brien. Padden. Patrick. Peery. Prince. Rayburn. Rust. Sanders. Sayan. Schmidt. Schoon. Scott. Silver. Smith C. Smith L. Smitherman. Sommers. Sutherland. Tanner. Taylor. Thomas. Tilly. Todd. Unsoeld. Valle. van Dyke. Van Luven. Vander Stoep. Vekich. Walk. Walker. Wang. West. Williams B. Wilson K. Wilson S. Wineberry. Winsley. Zellinsky. and Mr. Speaker - 96.

Absent: Representative Bond - 1.

Excused: Representative Williams J - 1.

Substitute House Bill No. 194, having received the 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. 214, by Representatives Baugher, Hargrove, Patrick, West, Tilly, Lundquist, Winsley, Lewis, Fuhrman, S. Wilson, Leonard, Hastings, van Dyke, Dobbs, Van Luven, May, Bond, Valle, Ballard, Silver, Basich, Isaacson and Schoon

Prohibiting operation of a watercraft while under the influence of alcohol or drugs.

The bill was read the second time. On motion of Ms. Scott, Substitute House Bill No. 214 was substituted for House Bill No. 214 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 214 was read the second time.

Ms. Miller moved adoption of the following amendments by Representative J. Williams:

On page 1, line 8 before "Except" strike "((+))" and insert "(1)"

On page 1, strike all of lines 14 through 18 and insert the following:

"(2) No person may use any vessel to which this chapter applies:

(a) In a negligent manner so as to endanger the life, limb, or property of any person; or

(b) While under the influence of alcohol, narcotic drugs, hallucinogens, or other controlled substances or any combination of intoxicating liquor and any drug."

Ms. Miller spoke in favor of the amendment, and Mr. Baugher spoke against it. The amendment was not adopted.

Ms. Miller moved adoption of the following amendment by Representative J. Williams:

On page 1, line 22 after "person" and before "operates" insert "wilfully and knowingly"

Representatives Miller and Padden spoke in favor of the amendment, and Representatives Baugher and Armstrong spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative J. Williams to page 1, line 22 of Substitute House Bill No. 214, and the amendment was not adopted by the following vote: Yeas, 42; nays, 54; absent, 1; excused, 1.

Voting yea: Representatives Allen, Ballard, Barnes, Barrett, Betrozoff, Brooks, Brough, Chandler, Dobbs, Doly, Fuhrman, Hankins, Hastings, Haugen, Isaacson, King P, Lewis, Lundquist, May, McMullen, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, Williams B, Wilson S, Zellinsky - 42.

Voting nay: Representatives Addison, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Hine, Holland, Jacobsen, King J, King R, Kremen, Leonard, Locke, Long, Lux, Madsen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, West, Wilson K, Wineberry, Winsley, and Mr. Speaker - 54.

Absent: Representative Bond - 1.

Excused: Representative Williams J - 1.

Mr. Zellinsky moved adoption of the following amendment by Representatives Zellinsky and J. Williams:

On page 1, line 23 strike "endanger or be likely to" and insert "clearly"

Mr. Zellinsky spoke in favor of the amendment, and Mr. Baugher spoke against it.

The amendment was not adopted.

Mr. Van Luven moved adoption of the following amendment:

On page 1, line 25 after "operates" strike everything down to and including "drug," on line 28 and insert "a vessel within this state while:

(a) He has 0.10 percent or more by weight of alcohol in his blood as shown by chemical analysis of his breath, blood, or other bodily substance made under RCW 46.61.506; or

(b) He is under the influence of or affected by intoxicating liquor or any drug; or

(c) He is under the combined influence of or affected by intoxicating liquor and any drug.

The fact that any person charged with a violation of this section is or has been entitled to use such drug under the laws of this state shall not constitute a defense against any charge of violating this section."

Mr. Van Luven spoke in favor of the amendment and Mr. Dellwo spoke against it.

#### POINT OF INQUIRY

Mr. Baugher yielded to question by Mr. Barrett.

Mr. Barrett: "Representative Baugher, during the past few moments you have made quite a strong proposal on other amendments that were trying to set a different definition of drunkenness, as far as driving and steering for the boats is concerned, than we are for the automobiles. Just now we heard a speaker say that what this amendment would do would be to bring the boating in line with the drunkenness rules that cover automobiles. Is that true with this particular amendment? Does it bring the boating drunkenness into line with the automobile drunkenness as far as the intoxication factor?"

Mr. Baugher: "That was the intent of the legislation to do that, Representative Barrett."

Mr. Barrett spoke in favor of the amendment.



## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Van Luven to Substitute House Bill No. 214, and the amendment was adopted by the following vote: Yeas, 52; nays, 44; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, King P. Lewis, Locke, Long, Lundquist, May, McMullen, Miller, Nealey, Nelson G. Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C. Smith L. Smitherman, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walk, Walker, Wang, West, Williams B, Wilson K, Wilson S, Winsley, Zellinsky - 52.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Hine, Jacobsen, King J, King R, Kremen, Leonard, Lux, Madsen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Wineberry, and Mr. Speaker - 44.

Absent: Representative Bond - 1.

Excused: Representative Williams J - 1.

Mr. Smitherman moved adoption of the following amendment:

On page 2, line 2 after "alcohol" strike "if apparatus is reasonably available" and beginning on line 3 after "analysis" strike "if a facility is reasonably available"

Representatives Smitherman and Baugher spoke in favor of the amendment, and it was adopted.

Ms. Schmidt moved adoption of the following amendment by Representatives Schmidt, Zellinsky and Wang:

On page 2, line 8 after "water" insert ", except for a vessel which has or is required to have a valid marine document as a vessel of the United States"

Ms. Schmidt spoke in favor of the amendment and Mr. Armstrong opposed it.

Ms. Schmidt spoke again in favor of the amendment.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Schmidt and others to page 2 of Substitute House Bill No. 214, and the amendment was not adopted by the following vote: Yeas, 46; nays, 50; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Brooks, Brough, Chandler, Dobbs, Doty, Ebersole, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, King P. Lewis, Long, Lundquist, May, McMullen, Miller, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C. Smith L, Thomas, van Dyke, Van Luven, Vander Stoep, Walk, Walker, West, Williams B, Wilson S, Winsley, Zellinsky - 46.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Fisch, Fisher, Gallagher, Grimm, Hargrove, Hine, Jacobsen, King J, King R, Kremen, Leonard, Locke, Lux, Madsen, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Taylor, Tilly, Todd, Unsoeld, Valle, Vekich, Wang, Wilson K, Wineberry, and Mr. Speaker - 50.

Absent: Representative Bond - 1.

Excused: Representative Williams J - 1.

On motion of Ms. Miller, the following amendment by Representative J. Williams was adopted:

On page 2, line 9 after "(4)" insert the following:

"For the purpose of this section, 'vessel operator' means a person who is in actual physical control of a vessel.

(5)"

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

Representative J. Williams appeared at the bar of the House.

## MOTION

Mr. Ballard moved that the Committee on Commerce & Labor be relieved of HOUSE BILL NO. 987 and the bill be placed at the top of today's second reading calendar.

Representatives Ballard and Patrick spoke in favor of the motion, and Representatives J. King and R. King spoke against it.

## POINT OF PARLIAMENTARY INQUIRY

Mr. Padden: "Mr. Speaker, under our House rules, would House Bill 987 be exempt from the cut-off?"

The Speaker: "The cut-off resolution speaks to matters pertaining to the recommendations of the Joint Select Committee. That matter is not before us."

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

## ROLL CALL

The Clerk called the roll on the motion to relieve the Committee on Commerce & Labor of House Bill No. 987 and place on second reading calendar, and the motion was lost by the following vote: Yeas, 44; nays, 53; absent, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 44.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 53.

Absent: Representative Bond - 1.

HOUSE BILL NO. 250, by Representatives Nutley, Brough and Miller

Extending time requirements for revision of small works roster.

The bill was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 250, and the bill passed the House by the following vote: Yeas, 97; absent, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Bond - 1.

House 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.

HOUSE BILL NO. 262, by Representatives Ebersole, Betrozoff, Peery and P. King; by Superintendent of Public Instruction request

Eliminating certain obsolete provisions from Title 28A RCW.

The bill was read the second time. On motion of Mr. Ebersole, Substitute House Bill No. 262 was substituted for House Bill No. 262 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 262 was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 262, and the bill passed the House by the following vote: Yeas, 97; absent, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Bond - 1.

Substitute House Bill No. 262, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

Mr. Hastings moved that the Committee on Ways & Means be relieved of HOUSE BILL NO. 63 and the bill be placed at the top of today's second reading calendar.

Mr. Hastings spoke in favor of the motion, and Mr. J. King opposed it.

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

Representatives Doty, Brooks, Baugher, West, Nealey and Taylor spoke in favor of the motion.

## ROLL CALL

The Clerk called the roll on the motion to relieve the Committee on Ways & Means of House Bill No. 63, and the motion was lost by the following vote: Yeas, 47; nays, 50; absent, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Baugher, Betrozoff, Bristow, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Rayburn, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 47.

Voting nay: Representatives Appelwick, Armstrong, Basich, Belcher, Braddock, Brekke, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 50.

Absent: Representative Bond - 1.

HOUSE BILL NO. 281, by Representatives Jacobsen, Long, Unsoeld, Nealey, Todd, Gallagher, McMullen, Sutherland, Barnes, Miller, Ballard, D. Nelson, Madsen, Bond and Hine

Authorizing limited regulation by the state of radio communications service companies.

The bill was read the second time. Committee on Energy & Utilities recommendation: Majority, do pass as amended. (For amendments, see Journal, 40th Day, February 22, 1985.)

On motion of Mr. D. Nelson, the committee amendments were adopted.

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

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

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 281, and the bill passed the House by the following vote: Yeas, 97; absent, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, Mary, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Bond - 1.

Engrossed House 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.

HOUSE BILL NO. 389, by Representatives Nutley, Belcher, Hankins and Winsley; by Department of Services for the Blind request

Clarifying collection of vending machine revenue in public buildings.

The bill was read the second time. On motion of Ms. Belcher, Substitute House Bill No. 389 was substituted for House Bill No. 389 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 389 was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 389, and the bill passed the House by the following vote: Yeas, 97; absent, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, Mary, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Bond - 1.

Substitute House 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.

HOUSE BILL NO. 428, by Representatives Fisch, Patrick, Ebersole, Chandler, Wang, P. King, Basich and Winsley

Revising education requirements for real estate license application.

The bill was read the second time. On motion of Mr. Wang, Second Substitute House Bill No. 428 was substituted for House Bill No. 428 and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 428 was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 428, and the bill passed the House by the following vote: Yeas, 97; absent, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Bond - 1.

Second Substitute House Bill No. 428, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTIONS

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

On motion of Mr. J. King, HOUSE BILL NO. 879 was rereferred from Committee on Rules to Committee on Ways & Means.

On motion of Mr. J. King, the House was recessed subject to the call of the Speaker.

## EVENING SESSION

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

## REPORTS OF STANDING COMMITTEES

March 8, 1985

HB 3 Prime Sponsor, Representative Sutherland: Providing for protection from radiation. Reported by Committee on Ways & Means

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Brekke, Bristow, Hine, Holland, J. King, Long, Madsen, G. Nelson, Niemi, Rust, Silver, L. Smith, Smitherman, Sommers, Taylor, Vander Stoep and B. Williams.

Voting nay: Representative Sanders.

Absent: Representatives Hastings, Locke and Tilly.

Passed to Committee on Rules for second reading.

March 8, 1985

HB 24 Prime Sponsor, Representative Haugen: Allowing cities and towns to charge interest on sewer and water hook-ups. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Bristow, Brough, Doty, Ebersole, Hine, Patrick, Smitherman and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representatives Allen, Isaacson and Winsley.

Passed to Committee on Rules for second reading.

March 8, 1985

HB 61 Prime Sponsor, Representative Dellwo: Revising provisions relating to health insurance for public employees. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lux, Chair; Addison, Barrett, Crane, Dellwo, Grimm, Holland, P. King, Nutley, Prince, West and Winsley.

Voting nay: Representatives Zellinsky, Vice Chair; and Locke.

Passed to Committee on Rules for second reading.

March 8, 1985

HB 89 Prime Sponsor, Representative Sutherland: Relating to game. Reported by Committee on Ways & Means

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Hine, Holland, J. King, Locke, Long, Madsen, G. Nelson, Niemi, Rust, Sanders, Sayan, L. Smith, Sommers, Taylor and Tilly.

Voting nay: Representatives Bristow, Silver, Smitherman, Vander Stoep and B. Williams.

Absent: Representative Hastings.

Passed to Committee on Rules for second reading.

March 8, 1985

HB 136 Prime Sponsor, Representative Unsoeld: Controlling dangerous wastes that had household uses. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill by Committee on Environmental Affairs be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Brekke, Bristow, Hine, J. King, Madsen, Niemi, Rust, Sayan, Smitherman and Sommers.

Voting nay: Representatives Holland, Long, G. Nelson, Sanders, Silver, L. Smith, Taylor, Vander Stoep and B. Williams.

Absent: Representatives Hastings, Locke and Tilly.

Passed to Committee on Rules for second reading.

March 8, 1985

HB 138 Prime Sponsor, Representative Locke: Modifying provisions relating to crime victims' compensation. Reported by Committee on Ways & Means

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Brekke, Bristow, Hine, Holland, J. King, Locke, Long, Madsen, G. Nelson, Niemi, Rust, Sanders, Sayan, Silver, L. Smith, Smitherman, Sommers, Taylor, Tilly and B. Williams.

Absent: Representative Hastings.

Passed to Committee on Rules for second reading.

March 7, 1985

HB 141 Prime Sponsor, Representative Ebersole: Providing for a tenth grade achievement test. Reported by Committee on Ways & Means

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Brekke, Bristow, Hastings, Hine, Holland, J. King, Long, Madsen, G. Nelson, Rust, Sommers, Smitherman, Tilly and Vander Stoep.

MINORITY recommendation: Do not pass. Signed by Representatives Basich, Sanders, Sayan and Taylor.

Voting nay: Representatives Braddock, Vice Chair; Basich, Locke, Niemi, Sanders, Sayan, Silver and L. Smith.

Passed to Committee on Rules for second reading.

March 7, 1985

HB 174 Prime Sponsor, Representative Valle: Providing programs for educational excellence. Reported by Committee on Ways & Means

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Brekke, Bristow, Hastings, Holland, J. King, Locke, Long, Madsen, G. Nelson, Niemi, Rust, Sanders, Sayan, Silver, L. Smith, Smitherman, Sommers, Taylor, Tilly, Vander Stoep and B. Williams.

Passed to Committee on Rules for second reading.

March 6, 1985

HB 187 Prime Sponsor, Representative Madsen: Allowing counties to make state-authorized improvements to state highways. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walk, Chair; Wineberry, Vice Chair; Baugher, Betzoff, Brough, Fisch, Fisher, Gallagher, Hankins, Haugen, Kremen, Lundquist, McMullen, Patrick, Prince, C. Smith, Sutherland, Tanner, Valle, Van Luven and Zellinsky.

Absent: Representatives Bond, Gallagher, Lundquist, Schmidt, Tanner, Thomas and K. Wilson.

Passed to Committee on Rules for second reading.

March 7, 1985

HB 205 Prime Sponsor, Representative Lux: Authorizing a limited offering exemption to the securities act. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Brekke, Bristow, Hastings, Hine, Holland, J. King, Locke, Long, Madsen, G. Nelson, Niemi, Rust, Sanders, Sayan, Silver, L. Smith, Smitherman, Sommers, Taylor, Tilly, Vander Stoep and B. Williams.

Passed to Committee on Rules for second reading.

March 7, 1985

HB 218 Prime Sponsor, Representative Jacobsen: Creating a higher education coordinating commission. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sommers, Chair; Jacobsen, Vice Chair; Allen, Basich, Belcher, Hastings, Miller, D. Nelson, G. Nelson, Prince, Silver, Unsoeld, Vander Stoep, K. Wilson and Wineberry.

Passed to Committee on Rules for second reading.

March 7, 1985

HB 223 Prime Sponsor, Representative Nealey: Modifying provisions relating to hydraulic projects. Reported by Committee on Agriculture

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Vekich, Chair; Baugher, Vice Chair; Ballard, Bristow, Brooks, Chandler, Doty, Kremen, Madsen, Nealey and Peery.

Passed to Committee on Rules for second reading.

March 8, 1985

HB 227 Prime Sponsor, Representative Lux: Requiring liability insurance or other proof of financial responsibility for operation of a motor vehicle. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice

Chair; Addison, Barrett, Crane, Dellwo, Grimm, Holland, P. King, Nutley, Prince and Winsley.

Voting nay: Representatives Locke and West.

Passed to Committee on Rules for second reading.

March 8, 1985

HB 242 Prime Sponsor, Representative Locke: Modifying provisions concerning rights of crime victims, their survivors, and witnesses of crime. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, P. King, Lewis, Locke, G. Nelson, Padden, Schmidt, Schoon, Tilly, Van Luven, West and Wang.

Voting nay: Representative Niemi.

Absent: Representative Schoon.

Passed to Committee on Rules for second reading.

March 8, 1985

HB 251 Prime Sponsor, Representative Tilly: Prescribing penalties for fraudulent use of ski area facilities. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, P. King, Lewis, Locke, G. Nelson, Padden, Schmidt, Schoon, Tilly, Van Luven, West and Wang.

Absent: Representative Niemi.

Passed to Committee on Rules for second reading.

March 8, 1985

HB 253 Prime Sponsor, Representative Fisch: Revising authority of code cities to annex unincorporated areas. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Allen, Brough, Doty, Ebersole, Hine, Isaacson, May, Patrick, Rayburn, Smitherman, Winsley and Zellinsky.

Absent: Representatives Bristow, Rayburn and Smitherman.

Passed to Committee on Rules for second reading.

March 8, 1985

HB 329 Prime Sponsor, Representative Braddock: Modifying provisions on the retail sale of motor vehicle fuels. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass with the following amendment:

On page 1, strike all material after line 16 and insert the following:

"(2) 'Motor fuel supplier' means any person, firm, or corporation, including any affiliate of the person, firm, or corporation, who or which is engaged in the refining of crude oil into fuels, lubricants, petro-chemicals, or other products; and who or which supplies motor fuel for sale, consignment, for distribution through retail outlets. For purposes of this chapter, 'motor fuel supplier' does not include any person, firm, or corporation, (including an affiliate of the person, firm, or corporation) who or which has less than fifty thousand barrels of operable capacity per calendar day, as reported to the federal department of energy.

(3) 'Motor fuel retailer' means a person, firm, or corporation engaged primarily in the sale of motor fuel pursuant to a motor fuel franchise entered into with a reseller.

(4) 'Motor fuel' means gasoline or diesel fuel of a type distributed for use in self-propelled motor vehicles and includes gasohol and aviation fuels.

(5) 'Affiliate' means any person, firm, or corporation who controls or is controlled by any motor fuel supplier, and includes any subsidiary or affiliated corporation in which the motor fuel supplier or its shareholders, officers, agents, or employees hold or control more than twenty-five percent of the voting shares.



(6) 'Retail motor fuel outlet' means any location where motor fuel is distributed for purposes other than resale.

(7) 'Reseller' means any motor fuel supplier or any other seller of motor fuel to a motor fuel retailer for purposes of resale.

NEW SECTION, Sec. 2. Subject to section 4 of this act, after December 31, 1985, no motor fuel supplier may open a retail motor fuel outlet in the state of Washington and operate it with company personnel, a subsidiary company, or a commissioned agent or under a contract with any person, firm, or corporation managing any such outlet on a fee arrangement with the motor fuel supplier. The retail motor fuel outlet must be operated by a motor fuel retailer.

NEW SECTION, Sec. 3. Subject to section 4 of this act, after June 30, 1988, no motor fuel supplier may operate any retail motor fuel outlet in the state of Washington with company personnel, a subsidiary company, or a commissioned agent or under contract with any person, firm, or corporation managing any such outlet on a fee arrangement with the motor fuel supplier. The retail motor fuel outlet must be operated by a motor fuel retailer.

NEW SECTION, Sec. 4. Sections 2 and 3 of this act notwithstanding, any motor fuel supplier may open and temporarily operate any retail motor fuel outlet for a period not exceeding ninety days in circumstances where the motor fuel retailer voluntarily terminates or voluntarily agrees not to renew the motor fuel franchise or the franchise is terminated or not renewed by the motor fuel supplier in accordance with applicable state and federal laws.

NEW SECTION, Sec. 5. The commission of any act prohibited by this chapter shall constitute an unfair or deceptive act or practice under chapter 19.86 RCW and the attorney general and any aggrieved person, including but not limited to any motor fuel retailers being supplied by the offending motor fuel supplier, shall have all rights and remedies available under chapter 19.86 RCW.

NEW SECTION, Sec. 6. 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. 7. Sections 1 through 5 of this act shall constitute a new chapter in Title 19 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 institutions, and shall take effect July 1, 1985."

Signed by Representatives McMullen, Chair; Kremen, Vice Chair; Braddock, Day, Doty, Hargrove, J. King, Niemi, Rayburn, Scott, Silver, L. Smith, Smitherman, Tanner, Vekich, B. Williams and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Lundquist, Schmidt, Schoon and van Dyke.

Voting nay: Representatives Dobbs, Lundquist, May, Schmidt, Schoon, Thomas and van Dyke.

Passed to Committee on Rules for second reading.

March 8, 1985

HB 339 Prime Sponsor, Representative D. Nelson: Mandating the adoption of procedures for decommissioning major energy facilities. Reported by Committee on Energy & Utilities

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong, Barnes, Gallagher, Isaacson, Jacobsen, Long, Madsen, Miller, Nealey, Sutherland, Unsoeld and Van Luven.

Absent: Representative Bond.

Passed to Committee on Rules for second reading.

March 8, 1985

HB 342 Prime Sponsor, Representative D. Nelson: Requiring energy audits before the sale of residential real property. Reported by Committee on Energy & Utilities

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong, Jacobsen, Long, Miller, Sutherland, Unsoeld and Van Luven.

MINORITY recommendation: Do not pass. Signed by Representatives Gallagher, Isaacson and Nealey.

Voting nay: Representatives Barnes, Gallagher, Isaacson and Nealey.

Absent: Representative Bond.

Passed to Committee on Rules for second reading.

March 8, 1985

HB 348 Prime Sponsor, Representative Locke: Revising sentencing provisions. Reported by Committee on Ways & Means

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Brekke, Bristow, Hine, Holland, J. King, Locke, Long, Madsen, Niemi, Rust, Sanders, Sayan, Silver, L. Smith, Smitherman, Sommers and Vander Stoep.

MINORITY recommendation: Do not pass. Signed by Representative G. Nelson.

Voting nay: Representatives G. Nelson, Taylor, Tilly and B. Williams.

Absent: Representative Hastings.

Passed to Committee on Rules for second reading.

March 8, 1985

HB 351 Prime Sponsor, Representative Appelwick: Permitting teachers to receive pension payments under certain circumstances while teaching. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Appelwick, Basich, Brekke, Bristow, Hine, Holland, J. King, Locke, Long, Madsen, G. Nelson, Niemi, Rust, Sanders, Sayan, Silver, L. Smith, Smitherman, Sommers and Taylor.

Voting nay: Representatives Tilly and B. Williams.

Absent: Representative Hastings.

Passed to Committee on Rules for second reading.

March 7, 1985

HB 356 Prime Sponsor, Representative Brekke: Changing provisions relating to reimbursement for social and health services. Reported by Committee on Ways & Means

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Brekke, Bristow, Hastings, Hine, Holland, J. King, Locke, Long, Madsen, G. Nelson, Niemi, Rust, Sanders, Sayan, Silver, L. Smith, Smitherman, Sommers, Taylor, Tilly, Vander Stoep and B. Williams.

Passed to Committee on Rules for second reading.

March 6, 1985

HB 396 Prime Sponsor, Representative Brekke: Changing state public assistance eligibility requirements. Reported by Committee on Social & Health Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Brekke, Chair; Day, Vice Chair; Armstrong, Ballard, Braddock, Brooks, Dellwo, Dobbs, Leonard, Lewis, Lux, Padden, Scott, Tanner, West and Winsley.

Voting nay: Representative S. Wilson.

Passed to Committee on Rules for second reading.

March 6, 1985

HB 406 Prime Sponsor, Representative Baugher: Regulating tourist and agricultural directional signs along state highway. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walk, Chair; Wineberry, Vice Chair; Baugher, Betzoff, Brough, Fisch, Fisher, Gallagher, Hankins, Haugen, Kremen, Lundquist, McMullen, Patrick, Prince, Schmidt, C. Smith, Sutherland, Tanner, Thomas, Valle, Van Luven, J. Williams, K. Wilson and Zellinsky.

Absent: Representatives Bond, Haugen and Lundquist.

Passed to Committee on Rules for second reading.

March 8, 1985

HB 446 Prime Sponsor, Representative Thomas: Setting a deadline for issuance of master business licenses. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives McMullen, Chair; Kremen, Vice Chair; Braddock, Day, Dobbs, Doty, Hargrove, J. King, Lundquist, May, Niemi, Rayburn, Schmidt, Schoon, Silver, L. Smith, Smitherman, Tanner, Thomas, van Dyke, Vekich, B. Williams and Wineberry.

Passed to Committee on Rules for second reading.

March 8, 1985

HB 493 Prime Sponsor, Representative Valle: Establishing a seismic safety commission. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Peery, Vice Chair; Baugher, Brooks, Fuhrman, O'Brien, Todd, van Dyke, Vekich and Walk.

Voting nay: Representative Belcher, Chair.

Absent: Representatives Hankins, Sanders and Taylor.

Passed to Committee on Rules for second reading.

March 8, 1985

HB 500 Prime Sponsor, Representative Brekke: Revising certain coverages of medical care programs. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Brekke, Bristow, Hine, J. King, Locke, Long, Madsen, G. Nelson, Niemi, Rust, Sanders, Sayan, Silver, L. Smith, Smitherman, Sommers, Taylor, Tilly, Vander Stoep and B. Williams.

Voting nay: Representative Holland.

Absent: Representative Hastings.

Passed to Committee on Rules for second reading.

March 8, 1985

HB 512 Prime Sponsor, Representative Leonard: Establishing a bill of rights for children who are victims or witnesses to crime. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, P. King, Lewis, Locke, G. Nelson, Padden, Schmidt, Schoon, Tilly, Van Luven, West and Wang.

Absent: Representative Niemi.

Passed to Committee on Rules for second reading.

March 8, 1985

HB 524 Prime Sponsor, Representative K. Wilson: Facilitating factory siting in environmentally nonsensitive areas. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives McMullen, Chair; Kremen, Vice Chair; Braddock, Day, Dobbs, Doty, Hargrove, J. King, Lundquist, May, Rayburn, Schmidt, Schoon, Scott, Silver, L. Smith, Smitherman, Tanner, Thomas, van Dyke, Vekich, B. Williams and Wineberry.

Voting nay: Representative Niemi.

Passed to Committee on Rules for second reading.

March 8, 1985

HB 544 Prime Sponsor, Representative Isaacson: Revising provisions relating to allocation of funds to the radioactive waste policy and review board. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass. Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong, Barnes, Gallagher, Isaacson, Jacobsen, Long, Madsen, Miller, Nealey, Sutherland, Unsoeld and Van Luven.

Absent: Representative Bond.

Passed to Committee on Rules for second reading.

March 8, 1985

HB 550 Prime Sponsor, Representative P. King: Penalizing the theft of cable television services. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, Lewis, Locke, G. Nelson, Padden, Schmidt, Schoon, Tilly, Van Luven, West and Wang.

Absent: Representative Niemi.

Passed to Committee on Rules for second reading.

March 8, 1985

HB 573 Prime Sponsor, Representative Armstrong: Revising provisions relating to claims arising from improvements upon real property. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Crane, Dellwo, Hargrove, P. King, Lewis, Locke, G. Nelson, Padden, Schmidt, Schoon, Tilly, Van Luven, West and Wang.

MINORITY recommendation: Do not pass. Signed by Representatives Appelwick and Niemi.

Absent: Representatives Niemi and Schoon.

Passed to Committee on Rules for second reading.

March 8, 1985

HB 577 Prime Sponsor, Representative Fisch: Establishing an employee-owner-ship assistance program under the department of commerce and economic development. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives McMullen, Chair; Kremen, Vice Chair; Braddock, Day, Dobbs, Doty, Hargrove, J. King, Lundquist, May, Niemi, Rayburn, Schmidt, Schoon, Scott, Silver, L. Smith, Smitherman, Tanner, Thomas, van Dyke, Vekich, B. Williams and Wineberry.

Passed to Committee on Rules for second reading.

March 7, 1985

HB 587 Prime Sponsor, Representative Grimm: Establishing additional requirements for teacher preparation and certification. Reported by Committee on Ways & Means

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Brekke, Bristow, Hastings, Hine, Holland, J. King, Locke, Long, Madsen, G. Nelson, Niemi, Rust, Sanders, Sayan, Silver, L. Smith, Smitherman, Sommers, Taylor, Tilly, Vander Stoep and B. Williams.

Passed to Committee on Rules for second reading.

March 8, 1985

HB 589 Prime Sponsor, Representative Todd: Providing for a study of the state building codes. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 11 after "department of" strike "commerce and economic" and insert "community"

On page 1, line 13 strike "forty-nine" and insert "fifteen"

On page 1, line 16 strike "commerce and economic" and insert "community"

Signed by Representatives Belcher, Chair; Peery, Vice Chair; Baugher, Brooks, Fuhrman, Hankins, O'Brien, Todd, van Dyke, Vekich and Walk.

Absent: Representatives Sanders and Taylor.

Passed to Committee on Rules for second reading.

March 7, 1985

HB 607 Prime Sponsor, Representative Unsoeld: Authorizing the cultivation of the Olympia oyster. Reported by Committee on Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Belcher, Cole, Dobbs, Hankins, Hargrove, Haugen, Leonard, Lundquist, McMullen, D. Nelson, Sayan, Thomas and S. Wilson.

MINORITY recommendation: Do not pass. Signed by Representatives Basich, Fuhrman, Sanders, van Dyke and J. Williams.

Passed to Committee on Rules for second reading.

March 8, 1985

HB 627 Prime Sponsor, Representative Tanner: Establishing the Washington state economic development board. Reported by Committee on Ways & Means

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Brekke, Bristow, Hastings, Hine, Holland, J. King, Locke, Long, Madsen, G. Nelson, Niemi, Rust, Sanders, Sayan, Silver, L. Smith, Smitherman, Sommers, Taylor, Tilly, Vander Stoep and B. Williams.

Passed to Committee on Rules for second reading.

March 8, 1985

HB 675 Prime Sponsor, Representative Niemi: Including stepchildren as potential plaintiffs in wrongful death action. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, P. King, Lewis, Locke, G. Nelson, Niemi, Padden, Schmidt, Schoon, Tilly, Van Luven, West and Wang.

Absent: Representatives Appelwick, Locke, Niemi, Schmidt, Schoon and Van Luven.

Passed to Committee on Rules for second reading.

March 7, 1985

HB 694 Prime Sponsor, Representative Grimm: Revising procedures governing school expenditures, allocations, and revenue. Reported by Committee on Ways & Means

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Grimm, Chair; Appelwick, Basich, Brekke, Hine, Holland, J. King, Locke, Madsen, Niemi, Rust, Sayan, Smitherman and Vander Stoep.

MINORITY recommendation: Do not pass. Signed by Representatives Sanders, Tilly and B. Williams.

Voting nay: Representatives Braddock, Vice Chair; Bristow, Hastings, Long, G. Nelson, Sanders, Silver, L. Smith, Sommers, Taylor, Tilly and B. Williams.

Passed to Committee on Rules for second reading.

March 8, 1985

HB 700 Prime Sponsor, Representative Appelwick: Revising the uniform unclaimed property act. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Allen, Bristow, Brough, Doty, Ebersole, Hine, May, Patrick, Rayburn, Smitherman, Winsley and Zellinsky.

Voting nay: Representative Isaacson.

Absent: Representative Brough.

Passed to Committee on Rules for second reading.

March 7, 1985

HB 718 Prime Sponsor, Representative Todd: Clarifying taxation and assessments provisions pertaining to mobile homes. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with the following amendment:  
On page 7, line 10 strike "due" and insert "levied"

Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Brekke, Bristow, Hastings, Hine, Holland, J. King, Locke, Long, Madsen, G. Nelson, Niemi, Rust, Sanders, Sayan, Silver, L. Smith, Smitherman, Sommers, Taylor, Tilly, Vander Stoep and B. Williams.

Passed to Committee on Rules for second reading.

March 8, 1985

HB 738 Prime Sponsor, Representative Vekich: Establishing a community revitalization team. Reported by Committee on Ways & Means

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Brekke, Bristow, Hine, J. King, Locke, Madsen, Niemi, Rust, Sayan, Smitherman and Sommers.

MINORITY recommendation: Do not pass. Signed by Representatives Holland, Hastings, Long, G. Nelson, Sanders, Silver, L. Smith, Taylor, Tilly, Vander Stoep and B. Williams.

Passed to Committee on Rules for second reading.

March 7, 1985

HB 741 Prime Sponsor, Representative Hine: Re-establishing the Puget Sound water quality authority. Reported by Committee on Ways & Means

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Grimm, Chair; Appelwick, Basich, Brekke, Bristow, Hine, J. King, Locke, Long, Madsen, G. Nelson, Rust, Sayan, Smitherman, Sommers and Tilly.

Voting nay: Representatives Braddock, Vice Chair; Hastings, Holland, Niemi, Sanders, Silver, L. Smith, Taylor, Vander Stoep and B. Williams.

Passed to Committee on Rules for second reading.

March 8, 1985

HB 744 Prime Sponsor, Representative Isaacson: Establishing the Northwest interstate compact on energy development and financing. Reported by Committee on Energy & Utilities

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong, Barnes, Gallagher, Isaacson, Jacobsen, Long, Madsen, Miller, Nealey, Sutherland, Unsoeld and Van Luven.

Absent: Representative Bond.

Passed to Committee on Rules for second reading.

March 8, 1985

HB 753 Prime Sponsor, Representative Van Luven: Authorizing rental deposits to be used as security for payment of utility bills. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass. Signed by Representatives Gallagher, Isaacson, Jacobsen, Long, Madsen, Miller, Nealey, Sutherland, Unsoeld and Van Luven.

MINORITY recommendation: Do not pass. Signed by Representatives Todd, Vice Chair; and Armstrong.

Voting nay: Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong.

Absent: Representative Bond.

Passed to Committee on Rules for second reading.

March 7, 1985

HB 757 Prime Sponsor, Representative K. Wilson: Requiring establishment of minimum flows before issuance of new water right permits. Reported by Committee on Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives K. Wilson, Vice Chair; Basich, Belcher, Cole, Hargrove, Haugen, Leonard, Lundquist, McMullen, D. Nelson, Sanders, Sayan and Thomas.

MINORITY recommendation: Do not pass. Signed by Representatives Sutherland, Chair; Dobbs, Fuhrman, Hankins, van Dyke, J. Williams and S. Wilson.

Passed to Committee on Rules for second reading.

March 8, 1985

HB 760 Prime Sponsor, Representative Sayan: Establishing the youth conservation corps. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives McMullen, Chair; Kremen, Vice Chair; Braddock, Day, Dobbs, Doty, Hargrove, J. King, Lundquist, May, Niemi, Rayburn, Schmidt, Schoon, Scott, Silver, L. Smith, Smitherman, Tanner, Thomas, van Dyke, Vekich, B. Williams and Wineberry.

Passed to Committee on Rules for second reading.

March 6, 1985

HB 767 Prime Sponsor, Representative P. King: Revising laws on criminal profiteering. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Crane, Dellwo, Hargrove, P. King, Lewis, Locke, G. Nelson, Padden, Schmidt, Schoon, Tilly, Van Luven and Wang.

Voting nay: Representative Appelwick.

Absent: Representative Niemi.

Passed to Committee on Rules for second reading.

March 7, 1985

- HB 781 Prime Sponsor, Representative Jacobsen: Creating a Washington distinguished professorship program. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sommers, Chair; Jacobsen, Vice Chair; Allen, Basich, Belcher, Hastings, Miller, D. Nelson, G. Nelson, Prince, Silver, Unsoeld, Vander Stoep, K. Wilson and Wineberry.

Passed to Committee on Rules for second reading.

March 7, 1985

- HB 796 Prime Sponsor, Representative Valle: Requiring the department of ecology to report on Puget Sound water quality enforcement actions. Reported by Select Committee on the Clean-up and Management of Puget Sound

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hine, Chair; Dobbs, Haugen, May, Miller, G. Nelson, Smitherman, Thomas, Unsoeld, Vekich and Wang.

Voting nay: Representative Lundquist.

Absent: Representatives Grimm and Schmidt.

Passed to Committee on Rules for second reading.

March 7, 1985

- HB 814 Prime Sponsor, Representative Unsoeld: Requiring the department of ecology to review Puget Sound wastewater standards. Reported by Select Committee on the Clean-up and Management of Puget Sound

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hine, Chair; Rust, Vice Chair; Dobbs, Haugen, Lundquist, May, Miller, G. Nelson, Smitherman, Thomas, Unsoeld, Vekich and Wang.

Absent: Representatives Grimm, Lundquist and Schmidt.

Passed to Committee on Rules for second reading.

March 7, 1985

- HB 815 Prime Sponsor, Representative Unsoeld: Revising provisions relating to sewage treatment facilities. Reported by Select Committee on the Clean-up and Management of Puget Sound

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hine, Chair; Rust, Vice Chair; Dobbs, Haugen, Lundquist, May, Miller, G. Nelson, Smitherman, Thomas, Unsoeld, Vekich and Wang.

Absent: Representatives Grimm, Lundquist and Schmidt.

Passed to Committee on Rules for second reading.

March 7, 1985

- HB 820 Prime Sponsor, Representative Wineberry: Providing services for persons with developmental disabilities. Reported by Committee on Social & Health Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Brekke, Chair; Day, Vice Chair; Ballard, Braddock, Brooks, Dellwo, Dobbs, Leonard, Lux, Scott, Tanner, West, S. Wilson and Winsley.

Passed to Committee on Rules for second reading.

March 8, 1985

- HB 830 Prime Sponsor, Representative Kremen: Facilitating the siting and expansion of business. Reported by Committee on Trade & Economic Development



MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 15 strike "The department's" and insert "The department shall revise its proposals as it considers appropriate. The initial proposals"

Signed by Representatives McMullen, Chair; Kremen, Vice Chair; Braddock, Day, Dobbs, Doty, Hargrove, J. King, Lundquist, May, Niemi, Rayburn, Schmidt, Schoon, Scott, Silver, L. Smith, Smitherman, Tanner, Thomas, van Dyke, Vekich, B. Williams and Wineberry.

Passed to Committee on Rules for second reading.

March 7, 1985

HB 841 Prime Sponsor, Representative K. Wilson: Revising provisions relating to methods of fishing for game fish. Reported by Committee on Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Basich, Cole, Dobbs, Fuhrman, Hankins, Hargrove, Haugen, Leonard, Lundquist, McMullen, D. Nelson, Sanders, Sayan, Thomas, van Dyke, J. Williams and S. Wilson.

Voting nay: Representative Belcher.

Absent: Representatives McMullen and J. Williams.

Passed to Committee on Rules for second reading.

March 7, 1985

HB 843 Prime Sponsor, Representative Bristow: Modifying provisions relating to livestock. Reported by Committee on Agriculture

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Vekich, Chair; Baugher, Vice Chair; Ballard, Bristow, Brooks, Chandler, Doty, Kremen, Madsen, Nealey and Peery.

Passed to Committee on Rules for second reading.

March 8, 1985

HB 846 Prime Sponsor, Representative D. Nelson: Authorizing municipalities to develop electric generation capabilities. Reported by Committee on Energy & Utilities

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong, Barnes, Gallagher, Isaacson, Jacobsen, Long, Madsen, Miller, Nealey, Sutherland, Unsoeld and Van Luven.

Absent: Representative Bond.

Passed to Committee on Rules for second reading.

March 8, 1985

HB 848 Prime Sponsor, Representative K. Wilson: Requiring the department of corrections to notify certain people of the disposition of inmates convicted of violent offenses. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, P. King, Lewis, Locke, G. Nelson, Padden, Schmidt, Schoon, Tilly, Van Luven, West and Wang.

Passed to Committee on Rules for second reading.

March 7, 1985

HB 849 Prime Sponsor, Representative Wang: Providing for teacher evaluation. Reported by Committee on Ways & Means

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Brekke, Bristow, Hastings, Hine, Holland,

J. King, Locke, Long, Madsen, G. Nelson, Niemi, Rust, Sanders, Sayan, Silver, L. Smith, Smitherman, Sommers, Taylor, Tilly, Vander Stoep and B. Williams.

Passed to Committee on Rules for second reading.

March 8, 1985

HB 852 Prime Sponsor, Representative Wang: Revising procedures for children's testimony in cases of sexual abuse. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, P. King, Locke, G. Nelson, Padden, Schmidt, Tilly, West and Wang.

MINORITY recommendation: Do not pass. Signed by Representatives Crane, Dellwo and Hargrove.

Voting nay: Representatives Crane, Dellwo, Hargrove, P. King, Lewis, Schoon and Van Luven.

Absent: Representative Niemi.

Passed to Committee on Rules for second reading.

March 8, 1985

HB 879 Prime Sponsor, Representative Armstrong: Revising laws against drunk driving. Reported by Committee on Ways & Means

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Brekke, Bristow, Hine, Holland, Long, Madsen, G. Nelson, Rust, Sanders, Silver, L. Smith, Smitherman, Sommers, Taylor, Tilly, Vander Stoep and B. Williams.

Voting nay: Representatives J. King and Niemi.

Absent: Representative Hastings.

Passed to Committee on Rules for second reading.

March 8, 1985

HB 894 Prime Sponsor, Representative D. Nelson: Providing for radon detectors. Reported by Committee on Energy & Utilities

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong, Barnes, Gallagher, Isaacson, Jacobsen, Long, Madsen, Miller, Nealey, Sutherland, Unsoeld and Van Luven.

Absent: Representative Bond.

Passed to Committee on Rules for second reading.

March 7, 1985

HB 927 Prime Sponsor, Representative Grimm: Establishing a single rate business excise tax. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Brekke, Bristow, Hine, J. King, Locke, Madsen, Niemi, Rust, Sayan and Sommers.

MINORITY recommendation: Do not pass. Signed by Representatives Hastings, Long, G. Nelson, Sanders, Silver, L. Smith, Taylor, Tilly, Vander Stoep and B. Williams.

Voting nay: Representatives Hastings, Holland, Long, G. Nelson, Sanders, Silver, L. Smith, Smitherman, Taylor, Tilly, Vander Stoep and B. Williams.

Passed to Committee on Rules for second reading.

March 8, 1985

HB 930 Prime Sponsor, Representative Leonard: Establishing a pilot project to provide social and health services to urban "street kids." Reported by Committee on Ways & Means

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Brekke, Bristow, Hine, J. King, Long, Madsen, Niemi, Rust, Sanders, Sayan, L. Smith, Smitherman and Sommers.

MINORITY recommendation: Do not pass. Signed by Representative G. Nelson.

Voting nay: Representatives Holland, G. Nelson, Silver, Taylor, Vander Stoep and B. Williams.

Absent: Representatives Hastings, Locke and Tilly.

Passed to Committee on Rules for second reading.

March 8, 1985

HB 932 Prime Sponsor, Representative K. Wilson: Strengthening laws on reporting of child abuse. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, P. King, Lewis, Locke, G. Nelson, Padden, Schmidt, Schoon, Tilly, Van Luven, West and Wang.

Voting nay: Representative Niemi.

Passed to Committee on Rules for second reading.

March 7, 1985

HB 941 Prime Sponsor, Representative Tilly: Increasing the tax on tobacco products. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Brekke, Bristow, Hine, Holland, J. King, Locke, Long, Madsen, Niemi, Rust, Sanders, Sayan, Silver, L. Smith, Smitherman, Sommers, Tilly, Vander Stoep and B. Williams.

Voting nay: Representatives Hastings, G. Nelson and Taylor.

Passed to Committee on Rules for second reading.

March 8, 1985

HB 956 Prime Sponsor, Representative Locke: Relating to the powers of local government in relation to federal grants and programs. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Allen, Brough, Doty, Ebersole, Hine, Isaacson, May, Patrick, Rayburn, Smitherman, Winsley and Zellinsky.

Absent: Representatives Bristow and Smitherman.

Passed to Committee on Rules for second reading.

March 7, 1985

HB 974 Prime Sponsor, Representative Rust: Modifying provisions on acid rain. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Brekke, Bristow, Hastings, Hine, Holland, J. King, Locke, Long, Madsen, G. Nelson, Niemi, Rust, Sanders, Sayan, Silver, L. Smith, Smitherman, Sommers, Taylor, Tilly, Vander Stoep and B. Williams

Passed to Committee on Rules for second reading.

March 7, 1985

HB 975 Prime Sponsor, Representative Rust: Revising provisions relating to hazardous wastes. Reported by Committee on Ways & Means

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Brekke, Bristow, Hastings, Hine, Holland, J. King, Locke, Long, Madsen, G. Nelson, Niemi, Rust, Sanders, Sayan, Silver, L. Smith, Smitherman, Sommers, Taylor, Tilly, Vander Stoep and B. Williams.

Absent: Representative Niemi.

Passed to Committee on Rules for second reading.

March 7, 1985

HB 998 Prime Sponsor, Representative Scott: Establishing a program for local child care resource and referral centers. Reported by Committee on Social & Health Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Brekke, Chair; Day, Vice Chair; Armstrong, Ballard, Braddock, Brooks, Dellwo, Leonard, Lewis, Lux, Scott, Tanner, West, S. Wilson and Winsley.

Voting nay: Representatives Dobbs and Padden.

Absent: Representatives Dellwo and Tanner.

Passed to Committee on Rules for second reading.

March 7, 1985

HB 1032 Prime Sponsor, Representative Hargrove: Providing industrial incentive zones. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives McMullen, Chair; Kremen, Vice Chair; Braddock, Day, Doty, Hargrove, Lundquist, May, Niemi, Rayburn, Schmidt, Schoon, Scott, Silver, L. Smith, Smitherman, Tanner, Thomas, van Dyke, Vekich, B. Williams and Wineberry.

Voting nay: Representative J. King.

Absent: Representative Dobbs.

Passed to Committee on Rules for second reading.

March 7, 1985

HB 1036 Prime Sponsor, Representative Fisher: Providing for the development of school counseling and guidance plans. Reported by Committee on Education

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 4 strike "shall" and insert "is encouraged to"

On page 2, line 6 strike "The plan shall contain" and insert "It is recommended that the plan contain"

On page 2, line 36 after "district" insert "which develops a plan"

Signed by Representatives Ebersole, Chair; Valle, Vice Chair; Cole, Holland, P. King, Rayburn, Rust, Todd, Walker and Wang.

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

Voting nay: Representatives Berozoff, Chandler, Fuhrman, Long, Schoon and L. Smith.

Absent: Representatives Appelwick and Taylor.

Passed to Committee on Rules for second reading.

March 7, 1985

HB 1044 Prime Sponsor, Representative Rayburn: Requiring plats in irrigation districts to provide for irrigation before approval. Reported by Committee on Agriculture

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Vekich, Chair; Baugher, Vice Chair; Ballard, Bristow, Brooks, Chandler, Doty, Kremen, Madsen, Nealey and Peery.

Passed to Committee on Rules for second reading.

March 7, 1985

HB 1056 Prime Sponsor, Representative Peery: Establishing school-based management pilot projects. Reported by Committee on Ways & Means

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Braddock, Vice Chair; Appelwick, Basich, Brekke, Bristow, Hastings, Hine, Holland, J. King, Locke, Long, Madsen, G. Nelson, Niemi, Rust, Sanders, Sayan, Silver, L. Smith, Smitherman, Sommers, Tilly, Vander Stoep and B. Williams.

Voting nay: Representatives Grimm, Chair; and Taylor.

Passed to Committee on Rules for second reading.

March 6, 1985

HB 1059 Prime Sponsor, Representative Wineberry: Authorizing the consideration of use restrictions in levying special assessments for public transportation improvements in downtown areas. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walk, Chair; Wineberry, Vice Chair; Baugher, Brough, Fisch, Fisher, Gallagher, Hankins, Haugen, Kremen, McMullen, Patrick, Prince, Sutherland, Tanner, Valle, K. Wilson and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representatives Betrozoff, Schmidt, C. Smith, Van Luven and J. Williams.

Absent: Representatives Bond and Thomas.

Passed to Committee on Rules for second reading.

March 7, 1985

HB 1060 Prime Sponsor, Representative Appelwick: Modifying provisions on the taxation of food fish and shellfish. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Brekke, Bristow, Hastings, Hine, Holland, J. King, Locke, Long, Madsen, G. Nelson, Niemi, Rust, Sanders, Sayan, Silver, L. Smith, Smitherman, Sommers, Taylor, Tilly, Vander Stoep and B. Williams.

Passed to Committee on Rules for second reading.

March 7, 1985

HB 1065 Prime Sponsor, Representative Rayburn: Providing funds for an in-service program on academic efficiency and classroom management. Reported by Committee on Ways & Means

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Brekke, Bristow, Hastings, Hine, Holland, J. King, Locke, Long, Madsen, G. Nelson, Niemi, Rust, Sanders, Sayan, Silver, L. Smith, Smitherman, Sommers, Tilly, Vander Stoep and B. Williams.

Voting nay: Representative Taylor.

Passed to Committee on Rules for second reading.

March 7, 1985

HB 1068 Prime Sponsor, Representative Smitherman: Providing for state and local action to preserve commercial and recreational shellfish areas. Reported by Committee on Ways & Means

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Bristow, Hastings, Hine, Holland, J. King, Locke, Long, Madsen, G. Nelson, Niemi, Rust, Sanders, Sayan, Silver, L. Smith, Smitherman, Sommers, Taylor, Tilly, Vander Stoep and B. Williams.

Voting nay: Representatives Brekke and Sanders.

Passed to Committee on Rules for second reading.

March 8, 1985

HB 1077 Prime Sponsor, Representative Niemi: Implementing procedures to control and monitor health care costs. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Brekke, Bristow, Hine, Holland, J. King, Locke, Long, Madsen, Niemi, Rust, Sayan, Silver, L. Smith, Smitherman, Sommers, Taylor, Tilly and B. Williams.

Voting nay: Representatives Hastings, G. Nelson, Sanders, Silver and Vander Stoep.

Passed to Committee on Rules for second reading.

March 8, 1985

HB 1078 Prime Sponsor, Representative P. King: Providing an early childhood assistance program. Reported by Committee on Ways & Means

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Brekke, Bristow, Hine, Holland, J. King, Madsen, G. Nelson, Niemi, Rust, Sanders, Sayan, Smitherman, Sommers, Taylor and Vander Stoep.

Voting nay: Representatives L. Smith and B. Williams.

Absent: Representatives Hastings, Locke and Tilly.

Passed to Committee on Rules for second reading.

March 7, 1985

HB 1079 Prime Sponsor, Representative Peery: Authorizing sales tax deferrals for investment projects. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill by Committee on Trade & Economic Development be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Bristow, Hastings, Hine, Holland, J. King, Locke, Long, Madsen, G. Nelson, Niemi, Rust, Sanders, Sayan, Silver, L. Smith, Smitherman, Taylor, Tilly, Vander Stoep and B. Williams.

Voting nay: Representatives Brekke and Sommers.

Passed to Committee on Rules for second reading.

March 8, 1985

HB 1102 Prime Sponsor, Representative Long: Changing provisions relating to utility deposits. Reported by Committee on Energy & Utilities

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong, Barnes, Gallagher, Isaacson, Jacobsen, Long, Madsen, Nealey, Sutherland, Unsoeld and Van Luven.

Absent: Representative Bond.

Passed to Committee on Rules for second reading.

March 7, 1985

HB 1122 Prime Sponsor, Representative Padden: Establishing an additional grass burning fee to fund smoke management. Reported by Committee on Agriculture

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Vekich, Chair; Baugher, Vice Chair; Ballard, Bristow, Brooks, Chandler, Doty, Kremen, Madsen, Nealey and Peery.

Absent: Representative Ballard.

Passed to Committee on Rules for second reading.

March 8, 1985

HB 1129 Prime Sponsor, Representative O'Brien: Involving office building and hotel owners and operators in the establishment of business improvement areas. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Allen, Bristow, Brough, Doty, Ebersole, Hine, Isaacson, May, Patrick, Rayburn, Smitherman, Winsley, and Zellinsky.

Passed to Committee on Rules for second reading.

March 8, 1985

HB 1131 Prime Sponsor, Representative West: Reimbursing legislators for certain travel expenses. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Brekke, Holland, J. King, Long, Madsen, G. Nelson, Niemi, Sanders, Silver, L. Smith, Smitherman, Sommers and Tilly.

Voting nay: Representatives Hine, Locke, Rust, Sayan, Taylor, Vander Stoep and B. Williams.

Absent: Representatives Bristow and Hastings.

Passed to Committee on Rules for second reading.

March 7, 1985

HB 1134 Prime Sponsor, Representative West: Requiring department of social and health services to screen employees dealing with children and developmentally disabled persons. Reported by Committee on Social & Health Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Brekke, Chair; Day, Vice Chair; Armstrong, Ballard, Braddock, Brooks, Dellwo, Dobbs, Leonard, Lewis, Lux, Padden, Scott, Tanner, West and Winsley.

Absent: Representatives Lux and S. Wilson.

Passed to Committee on Rules for second reading.

March 7, 1985

HB 1165 Prime Sponsor, Representative Brooks: Establishing legal immunity for blood transfusions. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass. Signed by Representatives Brekke, Chair; Day, Vice Chair; Armstrong, Ballard, Braddock, Brooks, Dellwo, Dobbs, Leonard, Lewis, Lux, Padden, Scott, Tanner, West, S. Wilson and Winsley.

Passed to Committee on Rules for second reading.

March 8, 1985

HB 1169 Prime Sponsor, Representative Lux: Enacting the Community Reinvestment Act. Reported by Committee on Financial Institutions & Insurance

**MAJORITY recommendation:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Dellwo, Grimm, Holland, Locke, Nutley and Winsley.

**MINORITY recommendation:** Do not pass. Signed by Representatives Barrett and Prince.

**Voting nay:** Representatives Addison, Barrett, Crane, P. King, Prince and West.

Passed to Committee on Rules for second reading.

March 8, 1985

HB 1172 Prime Sponsor, Representative Lux: Authorizing insurance agents and brokers to charge for services. Reported by Committee on Financial Institutions & Insurance

**MAJORITY recommendation:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Addison, Barrett, Crane, Dellwo, Grimm, Holland, P. King, Locke, Nutley, Prince, West and Winsley.

**Absent:** Representative Addison.

Passed to Committee on Rules for second reading.

March 7, 1985

HB 1174 Prime Sponsor, Representative Lux: Encouraging public service announcements to discourage teenage pregnancies. Reported by Committee on Social & Health Services

**MAJORITY recommendation:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Brekke, Chair; Day, Vice Chair; Armstrong, Braddock, Brooks, Dellwo, Leonard, Lux, Scott, Tanner and Winsley.

**Voting nay:** Representatives Ballard, Dobbs, Lewis, Padden and West.

**Absent:** Representative S. Wilson.

Passed to Committee on Rules for second reading.

March 7, 1985

HB 1190 Prime Sponsor, Representative Peery: Changing provisions relating to the joint center for education. Reported by Committee on Higher Education

**MAJORITY recommendation:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sommers, Chair; Jacobsen, Vice Chair; Allen, Basich, Belcher, Hastings, Miller, D. Nelson, G. Nelson, Prince, Silver, Unsoeld, Vander Stoep, K. Wilson and Wineberry.

**Absent:** Representative Prince.

Passed to Committee on Rules for second reading.

March 8, 1985

HB 1232 Prime Sponsor, Representative Haugen: Relating to water and sewer districts. Reported by Committee on Local Government

**MAJORITY recommendation:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Allen, Bristow, Brough, Doty, Ebersole, Hine, Isaacson, May, Patrick, Rayburn, Smitherman, Winsley and Zellinsky.

**Absent:** Representative Smitherman.

Passed to Committee on Rules for second reading.

March 8, 1985

HB 1269 Prime Sponsor, Representative Haugen: Relating to local government. Reported by Committee on Local Government



MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Allen, Bristow, Brough, Doty, Ebersole, Hine, Isaacson, May, Patrick, Rayburn, Smitherman, Winsley and Zellinsky.

Absent: Representative Bristow.

Passed to Committee on Rules for second reading.

March 8, 1985

HB 1279 Prime Sponsor, Representative Long: Relating to five member public utility commissions. Reported by Committee on Energy & Utilities

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives D. Nelson, Chair; Armstrong, Barnes, Isaacson, Long, Madsen, Miller, Nealey, Sutherland, Unsoeld and Van Luvan.

Absent: Representatives Todd, Vice Chair; Bond, Gallagher, Isaacson, Jacobsen and Sutherland.

Passed to Committee on Rules for second reading.

March 8, 1985

HJM 16 Prime Sponsor, Representative Niemi: Requesting the federal government transfer ownership of the South Lake Union Naval Reserve Base. Reported by Committee on Local Government

MAJORITY recommendation: The substitute memorial be substituted therefor and the substitute memorial do pass. Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Allen, Bristow, Brough, Doty, Ebersole, Hine, Isaacson, May, Patrick, Rayburn, and Winsley.

Absent: Representative Zellinsky.

Passed to Committee on Rules for second reading.

March 8, 1985

HJR 26 Prime Sponsor, Representative Tilly: Establishing a constitutional limit on appropriations of state funds. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute resolution be substituted therefor and the substitute resolution do pass. Signed by Representatives Grimm, Chair; Bristow, Hastings, Holland, Long, G. Nelson, Sanders, Silver, L. Smith, Smitherman, Sommers, Taylor, Tilly, Vander Stoep and B. Williams.

Voting nay: Representatives Braddock, Vice Chair; Appelwick, Basich, Brekke, Hine, J. King, Locke, Madsen, Niemi, Rust and Sayan.

Passed to Committee on Rules for second reading.

March 8, 1985

HJR 30 Prime Sponsor, Representative Grimm: Providing for state funding of pension liabilities. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute resolution be substituted therefor and the substitute resolution do pass. Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Basich, Bristow, Hastings, Hine, Holland, J. King, Locke, Long, G. Nelson, Sanders, Sayan, Silver, L. Smith, Smitherman, Sommers, Taylor, Tilly, Vander Stoep and B. Williams.

Voting nay: Representatives Brekke, Niemi and Rust.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. J. King, the House was adjourned until 9:30 a.m., Monday, March 11, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk

## FIFTY-SEVENTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Monday, March 11, 1985.

The House was called to order at 9:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives P. King and McMullen. Representative P. King was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Katy Brannon and Anne Dralle. Prayer was offered by Father Michael Ryan, St. Michael's Catholic Church of Olympia.

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

## MESSAGE FROM THE SENATE

March 8, 1985

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 3020,  
 SUBSTITUTE SENATE BILL NO. 3069,  
 ENGROSSED SENATE BILL NO. 3091,  
 ENGROSSED SENATE BILL NO. 3314,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3320,  
 SENATE BILL NO. 3373,  
 ENGROSSED SENATE BILL NO. 3374,  
 SENATE BILL NO. 3456,  
 SENATE BILL NO. 3460,  
 SUBSTITUTE SENATE BILL NO. 3540,  
 SUBSTITUTE SENATE BILL NO. 3553,  
 SENATE BILL NO. 3576,  
 SUBSTITUTE SENATE BILL NO. 3580,  
 SENATE BILL NO. 3624,  
 SENATE BILL NO. 4121,  
 SENATE BILL NO. 4122,  
 SENATE BILL NO. 4155,  
 SENATE JOINT MEMORIAL NO. 105,  
 SENATE JOINT MEMORIAL NO. 106,  
 SUBSTITUTE SENATE JOINT RESOLUTION NO. 124.

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

## INTRODUCTIONS AND FIRST READING

SB 3020 by Senators Barr and Goltz

Authorizing expenditures for commodities education programs.

Referred to Committee on Agriculture.

SSB 3069 by Committee on Human Services & Corrections (originally sponsored by Senators Moore, Sellar, Kreidler and Conner; by Lieutenant Governor request)

Providing that licensed health care professionals may organize nonprofit non-stock corporations.

Referred to Committee on Judiciary.

- ESB 3091 by Senators Talmadge, Newhouse and Hayner  
Providing for the forfeiture of real estate contracts.  
Referred to Committee on Judiciary.
- ESB 3314 by Senators Halsan, Sellar, Vognild, Stratton, Owen, Peterson, Hansen, Barr, Metcalf, Patterson, Conner and McCaslin  
Modifying provisions relating to methods of fishing for game fish.  
Referred to Committee on Natural Resources.
- ESSB 3320 by Committee on Ways & Means (originally sponsored by Senators McDermott, Talmadge, Fleming, Kreidler, Vognild, Williams, Conner, Owen, Wojahn, Garrett and McManus)  
Establishing the Washington basic health plan.  
Referred to Committee on Social & Health Services.
- SB 3373 by Senators Moore and McCaslin  
Authorizing recovery of additional costs for plaintiffs against certain judgment debtors.  
Referred to Committee on Judiciary.
- ESB 3374 by Senators Talmadge, Newhouse and Moore  
Revising provisions relating to the award of attorneys' fees.  
Referred to Committee on Judiciary.
- SB 3456 by Senators Hansen, Guess, Goltz, Peterson and Barr  
Extending certain tax exemptions relating to alcohol used in motor vehicle fuels.  
Referred to Committee on Transportation.
- SB 3460 by Senators Williams and Talmadge  
Requiring reporting of felony sexual offenses.  
Referred to Committee on Judiciary.
- SSB 3540 by Committee on Financial Institutions (originally sponsored by Senators Moore, Deccio, Sellar, Newhouse, Bender and Wojahn; by Insurance Commissioner request)  
Revising health maintenance organization provisions.  
Referred to Committee on Social & Health Services.
- SSB 3553 by Committee on Transportation (originally sponsored by Senators Peterson, Sellar, Garrett, Granlund, DeJarnatt, Boltiger and Bender)  
Regulating removal and disposal of abandoned, unauthorized, and junk vehicles.  
Referred to Committee on Transportation.
- SB 3576 by Senators Hansen, Barr, Goltz and Newhouse  
Revising provisions relating to the Lake Osoyoos water project.  
Referred to Committee on Agriculture.
- SSB 3580 by Committee on Judiciary (originally sponsored by Senators Talmadge, Newhouse and Hayner)  
Changing provisions relating to business corporations.  
Referred to Committee on Judiciary.

SB 3624 by Senator Kreidler

Eliminating restrictions on political activity of persons eligible for employment security department personnel.

Referred to Committee on Constitution, Elections & Ethics.

SB 4121 by Senators Hansen and Barr

Enabling legislation authorizing expenditures by agricultural commodity commissions for agricultural development or trade promotion and promotional hosting.

Referred to Committee on Agriculture.

SB 4122 by Senators Hansen, Barr and Bailey; by Department of Agriculture request

Modifying requirements for the contents of flour and bread.

Referred to Committee on Agriculture.

SB 4155 by Senators Halsan and DeJarnatt

Changing definition of court costs a convicted defendant may be required to pay.

Referred to Committee on Judiciary.

SJM 105 by Senators Moore and Metcalf

Petitioning Congress to enact legislation to clarify or change the current procedure for convening a constitutional convention.

Referred to Committee on Constitution, Elections & Ethics.

SJM 106 by Senators Rasmussen and Metcalf

Petitioning Congress to make certain changes to a proposed amendment to the United States Constitution regarding the federal budget.

Referred to Committee on Constitution, Elections & Ethics.

SSJR 124 by Committee on Agriculture (originally sponsored by Senators Hansen, Barr, Bailey, Goltz, Bottiger and Sellar)

Permitting agricultural assessments for agricultural development or trade promotions as a public use.

Referred to Committee on Agriculture.

## MOTIONS

On motion of Mr. J. King, the bills, memorials and resolutions listed on today's introduction calendar were considered first reading and referred to the committees designated.

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

## SECOND READING

SUBSTITUTE SENATE BILL NO. 3781, by Committee on Transportation (originally sponsored by Senators Peterson and Patterson; by Washington State Patrol request)

Authorizing state patrol sergeant and lieutenant examinations to be held every two years.

The bill was read the second time. On motion of Mr. J. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3781, and the bill passed the House by the following vote: Yeas, 93; absent, 4; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J. King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, Miller, Nealey, Nelson D, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Taylor, Thomas, Tilly, Unsoeld, Valle, van Dyke, Van Luven, Vander Sloep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Absent: Representatives McMullen, Nelson G, Tanner, Todd - 4.

Excused: Representative King P - 1.

Substitute Senate Bill No. 3781, having received the 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. 543, by Representatives Hankins, Hine, Haugen, Isaacson, Brough, Ebersole and Fisher

Establishing uniform laws on city consolidation.

The bill was read the second time. On motion of Ms. Haugen, Substitute House Bill No. 543 was substituted for House Bill No. 543, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 543 was read the second time.

Mr. Hastings moved adoption of the following amendment by Representatives Hastings and Haugen:

On page 3, line 32 after "the meetings," insert "There shall be at least one public meeting in each county in which one or more of the cities proposed to be consolidated is located. A county legislative authority may name the members of the boundary review board, if one exists in the county, to chair one or more of the public meetings held in that county. If the members of the boundary review board chair the public meeting, such persons shall be acting in a capacity as citizens and not as members of the boundary review board. The boundary review board shall not have any authority or jurisdiction on city consolidations under chapter 36.93 RCW."

Representatives Hastings and Haugen spoke in favor of the amendment.

#### POINT OF INQUIRY

Ms. Haugen yielded to question by Mr. Hastings.

Mr. Hastings: "Representative Haugen, to clarify this amendment, if it is adopted, could a county legislative authority hold one or more public meetings and also allow a county boundary review board to hold one or more public meetings on the proposed consolidation?"

Ms. Haugen: "Yes."

The amendment was adopted.

On motion of Ms. Haugen, the following amendment was adopted:

On page 15, line 35 beginning with "disincorporation" strike all the matter down to and including "dissolution" on page 16, line 2 and insert "~~((disincorporation, consolidations;))~~ or change in the boundary, other than a consolidation, of any city, town, or special purpose district; (b) consolidation of special purpose districts, but not including consolidation of cities and towns; or (c) dissolution or disincorporation"

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

Representatives Hankins, Isaacson, Hastings and Hine spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 543, and the bill passed the House by the following vote: Yeas, 95; nays, 1; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representative Armstrong - 1.

Absent: Representative McMullen - 1.

Excused: Representative King P - 1.

Engrossed Substitute House 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.

Representative McMullen appeared at the bar of the House.

HOUSE BILL NO. 547, by Representatives Walker, Ebersole, Betzoff, Cole, Hankins, Valle, Holland, Rayburn, Doty, Rust, Appelwick, L. Smith, Taylor, Dobbs, Winsley, Chandler, Isaacson, Brough and Sanders

Relating to the observance of Veterans' Day in the common schools.

The bill was read the second time. On motion of Mr. Ebersole, Substitute House Bill No. 547 was substituted for House Bill No. 547, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 547 was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 547, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative King P - 1.

Substitute House Bill No. 547, having received the 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. 629, by Representatives Cole, R. King, Ebersole, Scott, Betzoff, Walker, Taylor, Armstrong, Jacobsen, Basich, Unsoeld, P. King, Leonard, Long, Appelwick, Vekich, Rust, Todd, D. Nelson, Belcher and Barnes

Modifying requirements for elections for general obligation bonds for capital purposes.

The bill was read the second time.

Mr. Tilly moved adoption of the following amendment:

On page 1, after line 27 insert:

NEW SECTION, Sec. 2. Adding a new section to chapter 84.52 RCW to read as follows:

Any municipal corporation having an election for a bond issue pursuant to this chapter and publishing a voters' pamphlet pursuant to chapter 29.81A RCW shall include in the pamphlet information detailing the estimated total cost of the bond issue, including interest payments.

NEW SECTION, Sec. 3. Adding a new section to chapter 84.52 RCW to read as follows:

Any municipal corporation having an election for a bond issue pursuant to this chapter shall include in the ballot title a description of the estimated total cost of the bond issue, including interest payments."

Representatives Tilly, Lux and Addison spoke in favor of the amendment, and Representatives Ebersole, Taylor and Cole spoke against it.

Mr. Tilly spoke again in favor of the amendment.

#### POINT OF INQUIRY

Mr. Lux yielded to question by Mr. Sayan.

Mr. Sayan: "Representative Lux, is it your understanding that if this amendment passes all of the costs will, in fact, also have to be identified and isolated as costs attendant to the sales and distribution, the bonding sellers' fees, all incidental costs earned by the private sector in the sale of these bonds, as well as interest?"

Mr. Lux: "Representative Sayan, when you say all of the costs, I think that over the years there has been enough experience with selling bonds that these people could estimate very, very closely what the costs, the bond counsel and what the underwriting is going to be on these bonds."

Mr. Sayan: "Will this amendment, Representative Lux, in your opinion, require that that be identified?"

Mr. Lux: "I would say that is what the amendment says, that these costs would be estimated and the public would have some knowledge of approximately what this is going to cost."

Mr. Sayan: "As well as identifying interest?"

Mr. Lux: "That's true."

Mr. Taylor again opposed the amendment.

A division was called.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Tilly to House Bill No. 629, and the amendment was not adopted by the following vote: Yeas, 45; nays, 52; excused, 1.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Bond, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hargrove, Hastings, Holland, Isaacson, Kremen, Lewis, Locke, Lundquist, Lux, May, Nealey, Nelson D, Nelson G, Niemi, Padden, Patrick, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Sutherland, Thomas, Tilly, van Dyke, Van Luven, Vander Sloep, Wang, West, Williams B, Williams J, Wilson S, Zellinsky - 45.

Voting nay: Representatives Allen, Appelwick, Armstrong, Basich, Baugher, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Haugen, Hine, Jacobsen, King J, King R, Leonard, Long, Madsen, McMullen, Miller, Nutley, O'Brien, Peery, Prince, Rayburn, Rust, Sayan, Scott, Sommers, Tanner, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wilson K, Wineberry, Winsley, and Mr. Speaker - 52.

Excused: Representative King P - 1.

Representative P. King appeared at the bar of the House.

The Speaker declared the House to be at ease.

#### AFTERNOON SESSION.

The House was called to order at 1:15 P.m. by the Speaker.

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

## THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 23, by Committee on Local Government (originally sponsored by Representatives Haugen, Allen, Miller and Rayburn)

Providing regulations for compensation for members of special district governing bodies.

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

Representatives Haugen, Miller, Hine, Allen and Jacobsen spoke in favor of passage of the bill, and Representatives B. Williams, Prince, Tanner, Lux, Brough and Zellinsky spoke against it.

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

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 23, and the bill failed to pass the House by the following vote: Yeas, 38; nays, 60.

Voting yea: Representatives Allen, Appelwick, Armstrong, Bristow, Cole, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King R, Leonard, Madsen, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Rust, Scott, Smitherman, Sommers, Todd, Vekich, Waik, Walker, Wilson K, Wineberry, and Mr. Speaker - 38.

Voting nay: Representatives Addison, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Brooks, Brough, Chandler, Crane, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, King P, Kremen, Lewis, Locke, Long, Lundquist, Lux, May, Nealey, Padden, Patrick, Peery, Prince, Rayburn, Sanders, Sayan, Schmidt, Schoon, Silver, Smith C, Smith L, Sutherland, Tanner, Taylor, Thomas, Tilly, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Wang, West, Williams B, Williams J, Wilson S, Winsley, Zellinsky - 60.

Engrossed Substitute House Bill No. 23, having failed to receive the constitutional majority, was declared lost.

ENGROSSED HOUSE BILL NO. 51, by Representatives O'Brien, Dellwo, Lux and Locke

Requiring public restrooms in grocery stores.

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

Mr. O'Brien spoke in favor of the bill, and Mr. Patrick spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 51, and the bill passed the House by the following vote: Yeas, 54; nays, 44.

Voting yea: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Holland, Jacobsen, King J, King R, Kremen, Leonard, Lewis, Locke, Long, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Schmidt, Scott, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Waik, Wang, Wilson K, Wineberry, Winsley, Zellinsky - 54.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Braddock, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Isaacson, King P, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schoon, Silver, Smith C, Smith L, Smitherman, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, and Mr. Speaker - 44.

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.

SUBSTITUTE HOUSE BILL NO. 81, by Committee on Judiciary (originally sponsored by Representatives Armstrong, West, Wang and Leonard)

Prohibiting teaching, exhibiting, or demonstrating the use of or using firearms in civil disorders.

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



Representatives Armstrong, O'Brien and Wang spoke in favor of passage of the bill, and Representatives Fuhrman, Vekich and Patrick spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 81, and the bill passed the House by the following vote: Yeas, 64; nays, 33; absent, 1.

Voting yea: Representatives Addison, Allen, Armstrong, Barnes, Basich, Belcher, Betzoff, Brekke, Brooks, Brough, Cole, Crane, Dellwo, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Hastings, Haugen, Hine, Holland, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, Madsen, May, Miller, O'Brien, Padden, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Sommers, Sutherland, Taylor, Tilly, Todd, Valle, Van Luven, Vander Stoep, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 64.

Voting nay: Representatives Ballard, Barrett, Baugher, Bond, Braddock, Bristow, Chandler, Day, Dobbs, Fuhrman, Hankins, Isaacson, Jacobsen, King J, Long, Lundquist, McMullen, Nealey, Nelson D, Nelson G, Niemi, Nutley, Patrick, Peery, Sanders, Smith C, Smith L, Smitherman, Tanner, Thomas, Unsoeld, van Dyke, Vekich - 33.

Absent: Representative Appelwick - 1.

Substitute 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.

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

#### SECOND READING

HOUSE BILL NO. 629:

The House resumed consideration of the bill on second reading.

#### MOTION FOR RECONSIDERATION

Mr. Betzoff, having voted on the prevailing side, moved that the House reconsider the vote by which the amendment by Representative Tilly was not adopted.

Representatives Tilly, Addison and Isaacson spoke in favor of the motion, and Representatives Cole, Taylor and Ebersole spoke against it.

Mr. Tilly spoke again in favor of the motion.

Mr. Crane demanded the previous question and the demand was sustained.

A division was called.

#### ROLL CALL

The Clerk called the roll on the motion to reconsider the vote by which the Tilly amendment to House Bill No. 629 failed to be adopted, and the motion was carried by the following vote: Yeas, 50; nays, 48.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hargrove, Hastings, Holland, Isaacson, Kremen, Lewis, Locke, Long, Lundquist, Lux, May, Nealey, Nelson D, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley, Zellinsky - 50.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Haugen, Hine, Jacobsen, King J, King P, King R, Leonard, Madsen, McMullen, Miller, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Sommers, Sutherland, Tanner, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, and Mr. Speaker - 48.

The Speaker stated the question before the House to be reconsideration of the vote on adoption of the Tilly amendment to House Bill No. 629.

Representative Appelwick was excused.

Representatives Cole, Taylor and Ebersole spoke against the amendment, and Representatives May and Lux spoke in favor of it.

## ROLL CALL

The Clerk called the roll on reconsideration of the amendment by Representative Tilly to House Bill No. 629, and the amendment was not adopted by the following vote: Yeas, 48; nays, 49; excused, 1.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betrozoff, Bond, Bristow, Brooks, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hargrove, Hastings, Holland, Isaacson, Kremen, Lewis, Lundquist, Lux, Mary, Nealey, Nelson D, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Sutherland, Thomas, Tilly, Valle, van Dyke, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson S, Winsley, Zellinsky - 48.

Voting nay: Representatives Allen, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Brough, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Haugen, Hine, Jacobsen, King J, King P, King R, Leonard, Locke, Long, Madsen, McMullen, Miller, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Sommers, Tanner, Taylor, Todd, Unsoeld, Vekich, Walk, Walker, Wang, Wilson K, Wineberry, and Mr. Speaker - 49.

Excused: Representative Appelwick - 1.

House Bill No. 629 was passed to Committee on Rules for third reading.

HOUSE BILL NO. 677, by Representatives Lux, Winsley, Barrett, Lewis, Locke, Sanders, P. King, Dellwo, Crane and Ballard

Authorizing public debts to be assigned to a collection agency seven days after notice.

The bill was read the second time. On motion of Mr. J. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 677, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Appelwick - 1.

House Bill No. 677, having received the 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. 958, by Representatives McMullen, Haugen and Lundquist

Transferring certain trust lands to the parks and recreation commission.

The bill was read the second time. On motion of Mr. Sutherland, Substitute House Bill No. 958 was substituted for House Bill No. 958, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 958 was read the second time. On motion of Mr. J. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives McMullen and S. Wilson spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 958, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins,

Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Appelwick - 1.

Substitute House Bill No. 958, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE SENATE

March 11, 1985

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 3781.

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE SENATE BILL NO. 3781.

HOUSE BILL NO. 1010, by Representative Grimm

Appropriating funds for the publication of the session laws.

The bill was read the second time. On motion of Mr. J. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1010, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Appelwick - 1.

House Bill No. 1010, having received the 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. 1037, by Representative Prince

Revising procedures and amounts in records of accident reports.

The bill was read the second time. On motion of Mr. Walk, Substitute House Bill No. 1037 was substituted for House Bill No. 1037, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1037 was read the second time. On motion of Mr. J. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1037, and the bill passed the House by the following vote: Yeas, 95; nays, 2; excused, 1.

Voting yea: Representatives Addison, Allen, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representatives Brough, Wang - 2.

Excused: Representative Appelwick - 1.

Substitute House Bill No. 1037, having received the 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. 1074, by Representatives Peery, West, Belcher, Wang, Bristow, Leonard, Dellwo, Haugen, Basich and Unsoeld; by Governor request

Authorizing self-funding or self-insurance by the state employees' insurance board.

The bill was read the second time. On motion of Ms. Belcher, Substitute House Bill No. 1074 was substituted for House Bill No. 1074, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1074 was read the second time. On motion of Mr. J. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Peery, Lux and B. Williams spoke in favor of the bill, and Representative Addison spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1074, and the bill passed the House by the following vote: Yeas, 84; nays, 13; excused, 1.

Voting yea: Representatives Allen, Armstrong, Ballard, Barnes, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 84.

Voting nay: Representatives Addison, Barrett, Bond, Chandler, Hastings, Isaacson, Nelson G, Padden, Sanders, Silver, Smith C, van Dyke, Wilson S - 13.

Excused: Representative Appelwick - 1.

Substitute House Bill No. 1074, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE JOINT RESOLUTION NO. 25, by Representatives Fisher, Fisch, Leonard and Hargrove

Providing for the alteration of counties.

The resolution was read the second time. On motion of Ms. Fisher, Substitute House Joint Resolution No. 25 was substituted for House Joint Resolution No. 25, and the substitute resolution was placed on the calendar for second reading.

Substitute House Joint Resolution No. 25 was read the second time.

Mr. Fisch moved adoption of the following amendment:

On page 1, line 29 after "county" insert ", the petition forms shall be organized and certified by voting precinct"

Mr. Fisch spoke in favor of the amendment.

#### MOTION

On motion of Mr. J. King, further consideration of Substitute House Joint Resolution No. 25 was deferred and the bill was ordered placed on the second reading calendar immediately following House Bill No. 192.

Representative Appelwick appeared at the bar of the House.

HOUSE BILL NO. 520, by Representatives Lux, Sanders, Winsley, Holland, Grimm, Zellinsky, Hankins, P. King, Madsen, Barrett, Day, Ballard and Nutley

Revising industrial loan company provisions.

The bill was read the second time. On motion of Mr. Lux, Substitute House Bill No. 520 was substituted for House Bill No. 520, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 520 was read the second time. On motion of Mr. J. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Lux and Winsley spoke in favor of passage of the bill and Representatives Todd and Unsoeld spoke against it.

Mr. Lux spoke again in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 520, and the bill passed the House by the following vote: Yeas, 94; nays, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J. King P. King R. Kremen, Leonard, Lewis, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representatives Lundquist, Todd, Unsoeld, Wilson K - 4.

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

#### NOTICE OF RECONSIDERATION

Ms. Brough, having voted on the prevailing side, served notice that she would, on the next working day, move for reconsideration of the vote by which Engrossed Substitute House Bill No. 23 failed to pass the House.

HOUSE BILL NO. 22, by Representatives Vekich, Nealey, Baugher, Holland, Todd, Betrozoff, C. Smith, Isaacson, Doty, Unsoeld, Rayburn, Chandler and Sayan

Providing remedies to protect ground water rights.

The bill was read the second time. Committee on Agriculture recommendation: Majority, do pass with the following amendment:

On page 1, line 22 after "modified" insert "beyond their original or historically optimum condition"

Mr. Vekich moved adoption of the amendment and spoke against it.

The committee amendment was not adopted.

On motion of Mr. Todd, the following amendment by Representatives Todd, Vekich, Ballard and C. Smith was adopted:

On page 1, beginning on line 22 after "modified" strike all material down to and including "water," on line 24 and insert ". That availability is protected against interruption or other interference caused by either: (a) The water works of, or the water withdrawal activities of, a person or persons exercising junior rights to ground water; or (b) any other activities of a person or persons that do not directly involve the exercise of a more senior right to water."

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

Beginning on page 2, line 31 after "(5)" strike all material through "section." on page 3, line 1 and insert:

"If, in considering an application for a permit for the appropriation of groundwater, the department of ecology determines that the withdrawal of water under the permit would result in an interruption or interference for which the holder of a senior right has the right to the remedy of compensation under this section, the department may nonetheless issue the permit. However, the department shall issue an order concurrently with the permit prohibiting the construction of any water works associated with the permit or any use of the permit until such time as compensation has been provided in accordance with subsections (2), (3), or (4) of this section. The department has no power to determine the amount of compensation required under this section.

All permits issued and all rights perfected under this chapter after the effective date of this section are subject to subsections (1) through (4) of this section."

On page 3, after line 7 insert the following subsection:

"(6) The statutory remedies provided under this section apply only against interruption or interference caused by the exercise of junior water rights for which permits have been issued after the effective date of this section or which have been otherwise perfected after the effective date of this section. These statutory remedies may not be applied against interruption or interference caused by the exercise of water rights existing prior to the effective date of this section. Nothing in this section expands, prohibits or restricts in any manner whatsoever any powers of the judiciary to devise, provide for, and enforce remedies designed to protect senior water rights existing prior to the effective date of this section from interruption or interference caused by the exercise of junior water rights also existing prior to the effective date of this section."

House Bill No. 22 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 192, by Representatives Fisher, Miller, Valle, D. Nelson, Jacobsen, Unsoeld, Leonard, Tanner, Sayan, Dellwo, Lux and Armstrong

Limiting campaign contributions.

The bill was read the second time. On motion of Ms. Fisher, Substitute House Bill No. 192 was substituted for House Bill No. 192, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 192 was read the second time.

Mr. Barnes moved adoption of the following amendment:

On page 1, line 6 before "large" strike "the appearance of"

Mr. Barnes spoke in favor of the amendment, and Ms. Fisher spoke against it.

A division was called.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Barnes to page 1, line 6 of Substitute House Bill No. 192, and the amendment was not adopted by the following vote: Yeas, 42; nays, 56.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S - 42.

Voting nay: Representatives Allen, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Miller, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 56.

Mr. Barnes moved adoption of the following amendment:

On page 1, line 16 following "which" strike ", in the preceding five years."

Representatives Barnes and Padden spoke in favor of the amendment, and Ms. Fisher spoke against it.

Mr. Barnes spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Barnes to page 1, line 16 of Substitute House Bill No. 192, and the amendment was adopted by the following vote: Yeas, 54; nays, 44.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betrozoff, Bond, Bristow, Brooks, Brough, Chandler, Cole, Crane, Dobbs, Doty, Fuhrman, Hankins, Hargrove, Hastings, Haugen, Holland, Isaacson, King R, Kremen, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Taylor, Thomas, Tilly, Valle, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley, Zellinsky - 54.

Voting nay: Representatives Allen, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hine, Jacobsen, King J, King P, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Sommers, Sutherland, Tanner, Todd, Unsoeld, Vekich, Walk, Wang, Wilson K, Wineberry, and Mr. Speaker - 44.

Mr. Barnes moved adoption of the following amendment:

On page 1, line 25 strike all of subsection (c) and renumber the remaining subsections accordingly. Correct internal references accordingly.

Mr. Barnes spoke in favor of the amendment, and Ms. Fisher spoke against it.

#### POINT OF INQUIRY

Ms. Fisher yielded to question by Mr. Padden.

Mr. Padden: "Representative Fisher, could you explain to me what counties are specifically included under the language as it exists in the bill where they would have legislative district organizations that could make a donation in addition to the regular county organization?"

Ms. Fisher: "Most legislative district county organizations are provided for in party rules. The Democratic party has a charter which provides for the legislative districts in almost every legislative district. If you do not have one, you can certainly form one."

Mr. Padden: "Does this apply then to every legislative district in the state or only those legislative districts that are solely within a county boundary?"

Ms. Fisher: "No, it applies to every legislative district organization in the state."

Representatives Padden, West and Miller spoke in favor of the amendment, and Representatives Smitherman and Unsoeld spoke against it.

Representatives Barnes and West spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Barnes to page 1, line 25 of Substitute House Bill No. 192, and the amendment was not adopted by the following vote: Yeas, 28; nays, 70.

Voting yea: Representatives Ballard, Barnes, Betrozoff, Bond, Brooks, Dobbs, Fuhrman, Hastings, Holland, Lewis, Long, Lundquist, Nealey, Nelson G, Padden, Prince, Schmidt, Schoon, Smith C, Smith L, Taylor, Tilly, van Dyke, Vander Stoep, Walker, West, Williams B, Wilson S - 28.

Voting nay: Representatives Addison, Allen, Appelwick, Armstrong, Barrett, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Brough, Chandler, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, May, McMullen, Miller, Nelson D, Niemi, Nutley, O'Brien, Patrick, Peery, Rayburn, Rust, Sanders, Sayan, Scott, Silver, Smitherman, Sommers, Sutherland, Tanner, Thomas, Todd, Unsoeld, Valle, Van Luven, Vekich, Walk, Wang, Williams J, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 70.

#### MOTIONS

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

On motion of Mr. J. King, ENGROSSED SENATE BILL NO. 3273 was rereferred from Committee on Local Government to Committee on Judiciary.

## MOTION

On motion of Mr. J. King, the House adjourned until 9:30 a.m., Tuesday, March 12, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk



## FIFTY-EIGHTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, March 12, 1985.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Vekich, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Girl Scouts Jenny Crabill and Kim Watson from Troop 770. Prayer was offered by Father Michael Ryan, St. Michael's Catholic Church of Olympia.

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

## MESSAGE FROM THE SENATE

March 11, 1985

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 3099,  
 SUBSTITUTE SENATE BILL NO. 3146,  
 SECOND SUBSTITUTE SENATE BILL NO. 3238,  
 SENATE BILL NO. 3298,  
 SENATE BILL NO. 3339,  
 SUBSTITUTE SENATE BILL NO. 3354,  
 SENATE BILL NO. 3397,  
 SUBSTITUTE SENATE BILL NO. 3398,  
 SENATE BILL NO. 3401,  
 SENATE BILL NO. 3420,  
 SENATE BILL NO. 3427,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3458,  
 SENATE BILL NO. 3592,  
 SUBSTITUTE SENATE BILL NO. 3594,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTIONS AND FIRST READING

ESSB 3099 by Committee on Judiciary (originally sponsored by Senators Talmadge, Newhouse, Halsan and Granlund)

Providing mental health treatment for juveniles.

Referred to Committee on Social & Health Services.

SSB 3146 by Committee on Human Services & Corrections (originally sponsored by Senators Granlund, Kreidler, Kiskaddon and Deccio; by Department of Corrections request)

Updating the names and capacities of corrections institutions.

Referred to Committee on Social & Health Services.

2SSB 3238 by Committee on Ways & Means (originally sponsored by Senators Talmadge, Halsan, Granlund, Stratton, Rasmussen, Garrett and Peterson)

Revising procedures for reports of child abuse.

Referred to Committee on Judiciary.

- SB 3298 by Senators Hansen, Barr, Goltz, Benitz and Newhouse  
 Modifying notice requirements for changes in water flows or levels in public waters.  
 Referred to Committee on Agriculture.
- SB 3339 by Senators Thompson and Zimmerman  
 Authorizing library districts to participate in boundary review proceedings.  
 Referred to Committee on Local Government.
- SSB 3354 by Committee on Ways & Means (originally sponsored by Senators McDermott, Newhouse, Vognild, McDonald, Owen, Talmadge, Bottiger and Deccio)  
 Modifying provisions relating to medical aid to workers.  
 Referred to Committee on Commerce & Labor.
- SB 3397 by Senators Stratton, Vognild, Metcalf and Owen  
 Revising provisions relating to reimbursements for illegally killed wildlife.  
 Referred to Committee on Natural Resources.
- SSB 3398 by Committee on Governmental Operations (originally sponsored by Senators Thompson, McCaslin and Zimmerman)  
 Authorizing the consideration by local government of local excise tax revenues arising from local purchases in awarding purchase contracts.  
 Referred to Committee on Local Government.
- SB 3401 by Senators Peterson, Hansen and Guess; by Department of Licensing request  
 Revising commercial motor vehicle licensing reciprocity.  
 Referred to Committee on Transportation.
- SB 3420 by Senators Granlund, Kiskaddon, Bottiger, McCaslin and Conner  
 Exempting transfers of open space land to nonprofit organizations from property tax recapture.  
 Referred to Committee on Ways & Means.
- SB 3427 by Senators Moore, Newhouse, Bender and Sellar  
 Regulating domestic insurance holding corporations.  
 Referred to Committee on Financial Institutions & Insurance.
- ESSB 3458 by Committee on Financial Institutions (originally sponsored by Senator Conner)  
 Mandating lower insurance rates for persons over 55 who have taken an accident prevention course.  
 Referred to Committee on Financial Institutions & Insurance.
- SB 3592 by Senators Gaspard, Hansen, Benitz, Bauer, Goltz, Bottiger, Bailey and Barr  
 Modifying provisions relating to commodity commissions.  
 Referred to Committee on Agriculture.
- SSB 3594 by Committee on Agriculture (originally sponsored by Senators Hansen, Benitz, Goltz and Newhouse)  
 Changing provisions relating to irrigation district voting.  
 Referred to Committee on Agriculture.

## MOTION

On motion of Mr. J. King, the bills listed on today's introduction calendar were considered first reading under the fourth order of business and referred to the committees designated.

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

HOUSE FLOOR RESOLUTION NO. 85-31, by Representatives Allen and Rust

WHEREAS, The Girl Scouts of the United States of America will observe the seventy-third anniversary of its founding on Tuesday, March 12, 1985; and

WHEREAS, Since 1912, the Girl Scouts movement has opened new worlds of thought and action to more than forty-six million members; and

WHEREAS, The organization reaffirms its commitment to work for world understanding and friendship among all the peoples of the world; and

WHEREAS, Girl scouting prepares today's girls to be tomorrow's women; and

WHEREAS, Girl Scout Week will be celebrated by the Girl Scouts of our state from March 10 through March 16, 1985; and

WHEREAS, Members of this body have participated in girl scouting and have benefited from its training and philosophy;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives officially recognize the valuable service the Girl Scouts of the United States of America perform for the youth of our state and our country; and

BE IT FURTHER RESOLVED, That the House of Representatives applaud all of our State Girl Scout Councils for a job well done; and

BE IT FURTHER RESOLVED, That the members of the body do all they can in their home districts to promote the programs and ideals of the Girl Scouts of the United States of America; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives send copies of this Resolution to the national office of the Girl Scouts of the United States of America in New York, New York; the regional offices of the Girl Scouts; and to the five Girl Scout Councils serving Washington State.

Ms. Allen moved adoption of the resolution. Representatives Allen, Rust and Miller spoke in favor of the resolution and it was adopted.

## MOTION

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

## THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 98, by Committee on Ways & Means (originally sponsored by Representatives B. Williams, Grimm, Holland, Bristow and Van Luven)

Abolishing the gambling revolving fund, the lottery revolving fund, and the state lottery fund.

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

Mr. B. Williams spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 98, and the bill passed the House by the following vote: Yeas, 97; nays, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Voting nay: Representative Sutherland - 1.

Engrossed Substitute House Bill No. 98, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 173, by Representatives D. Nelson, Barnes and Fisher

Permitting the optional designation of party preference on voters' registration forms.

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

Representatives D. Nelson, Padden, Barnes, Fisher and Miller spoke in favor of passage of the bill, and Representatives Lewis and Isaacson spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 173, and the bill passed the House by the following vote: Yeas, 64; nays, 33; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Basich, Baugher, Belcher, Bond, Braddock, Brekke, Bristow, Brooks, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, May, McMullen, Miller, Nelson D, Niemi, Nutley, O'Brien, Padden, Peery, Rayburn, Rust, Sanders, Sayan, Scott, Silver, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Walk, Walker, Wang, Wilson K, Wineberry, Winsley, and Mr. Speaker - 64.

Voting nay: Representatives Baillard, Barrett, Berozoff, Brough, Chandler, Dobbs, Fuhrman, Hastings, Haugen, Holland, Isaacson, Lewis, Long, Lundquist, Nealey, Nelson G, Patrick, Prince, Schmidt, Schoon, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson S, Zellinsky - 33.

Excused: Representative Vekich - 1.

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.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 214, by Committee on Judiciary (originally sponsored by Representatives Baugher, Hargrove, Patrick, West, Tilly, Lundquist, Winsley, Lewis, Fuhrman, S. Wilson, Leonard, Hastings, van Dyke, Dobbs, Van Luven, May, Bond, Valle, Ballard, Silver, Basich, Isaacson and Schoon)

Prohibiting operation of a watercraft while under the influence of alcohol or drugs.

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

Mr. Baugher spoke in favor of the bill, and Mr. Lundquist spoke against it.

#### POINT OF INQUIRY

Mr. Baugher yielded to question by Ms. Schmidt.

Ms. Schmidt: "Representative Baugher, in your support of this bill, you kept referring to boating. Would you define boating for me as you intend in this bill?"

Mr. Baugher: "Boating is operating a vessel or a craft on water."

Ms. Schmidt: "By that definition do you intend to include maritime shipping?"

Mr. Baugher: "Do you intend to include eighteen-wheelers in the DWI, too? That's a large vessel, so if you want to take exception to what we have in the BWI versus the DWI--so you would like the eighteen-wheelers to be exempt from DWIs?"

#### POINT OF ORDER

Mr. Barrett: "Mr. Speaker, I think the Representative from Bremerton asked a question in good faith and I think an answer was expected. The Representative indicated that he would yield to a question and I think we deserve the courtesy on this floor of an answer, not further questions."

## SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

Mr. O'Brien: "It's hard to rule on how somebody is going to answer a question. I think when you ask a question you have to expect to receive some kind of an answer. That's the chance you take."

Representatives Schmidt and Zellinsky spoke against passage of the bill, and Representatives Lux, Cole and Armstrong spoke in favor of it.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 214, and the bill passed the House by the following vote: Yeas, 69; nays, 28; excused, 1.

Voting yea: Representatives Addison, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Grimm, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lux, Madsen, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Tilly, Todd, Unsoeld, Valle, Walk, Wang, Wilson K, Wineberry, Winsley, and Mr. Speaker - 69.

Voting nay: Representatives Allen, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Gallagher, Hankins, Lundquist, May, McMullen, Miller, Sanders, Schmidt, Thomas, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Zellinsky - 28.

Excused: Representative Vekich - 1.

Engrossed Substitute House Bill No. 214, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

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

## SECOND READING

Mr. Vekich appeared at the bar of the House.

HOUSE BILL NO. 25, by Representatives Haugen and Brough

Raising the debt limit for counties, cities, towns, and public hospital districts.

The bill was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Haugen, Hine, Brough and Allen spoke in favor of passage of the bill, and Representatives Lux, Padden, Addison, J. Williams, Lundquist and Holland spoke against it.

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

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 25, and the bill passed the House by the following vote: Yeas, 54; nays, 44.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Basich, Belcher, Braddock, Bristow, Brough, Cole, Crane, Day, Dellwo, Doty, Fisch, Fisher, Gallagher, Grimm, Hankins, Haugen, Hine, Isaacson, Jacobsen, King J, King P, King R, Leonard, Lewis, Locke, Long, Madsen, May, McMullen, Miller, Nelson G, Niemi, Nutley, O'Brien, Peery, Rust, Schoon, Scott, Smitherman, Sommers, Tanner, Todd, Unsoeld, Vekich, Waik, Walker, Wang, Wilson K, Wineberry, and Mr. Speaker - 54.

Voting nay: Representatives Addison, Barnes, Barrett, Baugher, Betzoff, Bond, Brekke, Brooks, Chandler, Dobbs, Ebersole, Fuhrman, Hargrove, Hastings, Holland, Kremen, Lundquist, Lux, Nealey, Nelson D, Padden, Patrick, Prince, Rayburn, Sanders, Sayan, Schmidt, Silver, Smith C, Smith L, Sutherland, Taylor, Thomas, Tilly, Valle, van Dyke, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson S, Winsley, Zellinsky - 44.

House 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.

HOUSE BILL NO. 66, by Representatives R. King, Patrick, Wang, Gallagher and Crane

Establishing a training certificate for plumbing construction work contractors.

The bill was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. R. King spoke in favor of the bill, and Mr. May spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 66, and the bill passed the House by the following vote: Yeas, 57; nays, 41.

Voting yea: Representatives Allen, Appelwick, Armstrong, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Chandler, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Patrick, Peery, Rayburn, Rust, Sayan, Scott, Smith C, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, and Mr. Speaker - 57.

Voting nay: Representatives Addison, Ballard, Barnes, Barrett, Bond, Bristow, Brooks, Brough, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Prince, Sanders, Schmidt, Lux, Silver, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Zellinsky - 41.

House 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.

HOUSE BILL NO. 188, by Representatives Madsen, Todd and P. King

Revising provisions to require removal of repossessed mobile homes from mobile home parks.

The bill was read the second time. On motion of Ms. Scott, Substitute House Bill No. 188 was substituted for House Bill No. 188, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 188 was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 188, and the bill passed the House by the following vote: Yeas, 97; absent, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Williams B - 1.

Substitute House Bill No. 188, having received the 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. 222, by Representatives Wineberry, Niemi, Lewis, Locke, Allen, Smitherman, Addison, Wang, J. King, O'Brien, Belcher, Lux, Jacobsen, Cole, K. Wilson, Fisher, D. Nelson, Leonard, Appelwick, Unsoeld, Tilly, Holland and Valle

Creating a state holiday observing the birth of Martin Luther King, Jr.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass as amended. (For amendment, see Journal, 47th Day, March 1, 1985.)

Ms. Belcher moved adoption of the committee amendment. Representatives Belcher, Hankins and Tilly spoke in favor of the amendment, and it was adopted.

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

Mr. Wineberry spoke in favor of passage of the bill, and Mr. Fuhrman spoke against it.

On motion of Mr. Tilly the following remarks were ordered spread upon the Journal:

Mr. Wineberry: "Mr. Speaker and distinguished members of the House of Representatives: I rise today to urge your unanimous support for House Bill 222, the bill to commemorate the third Monday in January as a state holiday in honor of the Rev. Dr. Martin Luther King, Jr.

"This bill gives us an opportunity to move beyond a resolution. I say beyond a resolution because since Dr. King's assassination in 1968, our body has chosen to honor him year after year by passing a floor resolution giving recognition to his many deeds. But today we have an opportunity to go beyond a resolution and declare our true value and respect for Dr. King, and also for the principles for which he stood and the vision he had for our nation.

"I want to express at this time my wholehearted acceptance of the amendment proposed by the Representative from the 8th District. This amendment enables us to achieve what I call the ideal cost-benefit balance: We do not create an additional holiday; we are able to honor Dr. King and have zero fiscal impact to our state budget.

"This amendment also achieves the goal of uniformity between Washington State and our federal government. It, in effect, creates a President's Day in February as our federal government now recognizes, while the bill already creates a King holiday which President Reagan and the Congress have declared to begin celebrating next year.

"I know that some of you may feel we have already gone far enough in the past, beyond a resolution, particularly last year when we established a day off for our public schools. However, while this may have been a step in the right direction, it was not far enough. Our state workers should not be deprived of the historic, civic and cultural enlightenment which comes from observing a holiday in honor of Dr. King. Furthermore, our state employees who are parents of school age children should not be burdened with the unfair choice of either leaving their children home unsupervised while they are at work or paying the expense of child care for the entire day.

"This holiday bill goes beyond just honoring Dr. King, the man. Far more importantly, this holiday will be the first and only day of all of our holidays dedicated to the very noble principles of justice, peace, equality and brotherhood.

"We can all gain strength and inspiration from Dr. King's courage, first witnessed in Montgomery in 1955 and last seen in Memphis, Tennessee, where he was killed in 1968. But that thirteen-year span changed and continues to change the life of our nation.

"As elected leaders, we must be especially grateful to Dr. King for the political legacy he left. His memory challenges each of us to pursue equal justice through the power of politics and calls upon those of us who can wield the force of public office in the service of this same goal. It challenges us to believe, and to behave as if we believe, one of Dr. King's most profound tenets: 'Injustice anywhere is a threat to justice everywhere.' Dr. King believed, like many before him, that in America

full political and economic participation are two direct roads to power sharing and to the improvement of the human condition.

"I believe that if Martin were alive today, he would give focus and leadership to the continuing struggle for political, social and economic empowerment, whether the cause was women's rights or for the elderly, the mentally and physically disabled or the rights of our children, that group I call tomorrow's generation.

"The objective would still be the same in the 80s as it was in the 50s and 60s--to achieve true equality and justice; to be heard, respected and taken seriously; to sit in the legislative chambers as well as the corporate executive suites and decide who gets what, when and how in this country. We have yet to reach that promised land so eloquently described by Dr. King in his 1968 speech, 'I Have a Dream.' But perseverance and the splendid example of his leadership that we will observe in this holiday can one day deliver us to the point when we can say, 'Mission accomplished.'

"So I ask you, in closing, to join with me and the signed co-sponsors of this bill as we vote a resounding 'aye' to move beyond a resolution--beyond a resolution to a permanent state holiday in honor of Dr. King--beyond a resolution at zero cost to our state--beyond a resolution to a holiday through which we can join the rest of the nation beginning next year in celebration of our first holiday dedicated to peace, freedom, justice and equality for all mankind.

"I urge unanimous passage of House Bill 222. Thank you very much."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 222, and the bill passed the House by the following vote: Yeas, 86; nays, 12.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Krømen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Vander Stoep, Vekich, Walk, Walker, Wang, West, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 86.

Voting nay: Representatives Barnes, Bond, Dobbs, Fuhrman, Hastings, Nealey, Padden, Sanders, van Dyke, Van Luven, Williams B, Williams J - 12.

Engrossed House 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.

HOUSE BILL NO. 232, by Representatives Ebersole, Brough, Nutley, Smitherman, Allen, Walker, Locke, Haugen, Belcher, Winsley, Wang, Crane, Lux and Unsoeld

Establishing groundwater management plan procedures and advisory committee.

The bill was read the second time. On motion of Ms. Rust, Substitute House Bill No. 232 was substituted for House Bill No. 232, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 232 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 340, by Representatives Unsoeld, D. Nelson, Todd and Wang

Authorizing differential electric utility rates to encourage energy conservation measures.

The bill was read the second time. Committee on Energy & Utilities recommendation: Majority, do pass as amended. (For amendments, see Journal, 33rd Day, February 15, 1985.)

On motion of Mr. D. Nelson, the committee amendments were adopted.

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



## MOTION

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

## RESOLUTION

HOUSE FLOOR RESOLUTION NO. 85-28, by Representatives Madsen, Unsoeld, Winsley, Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Ehlers, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, J. King, P. King, R. King, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, May, McMullen, Miller, Nealey, D. Nelson, G. Nelson, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, C. Smith, L. Smith, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Valle, Vander Stoep, van Dyke, Van Luven, Vekich, Walk, Walker, Wang, West, B. Williams, J. Williams, K. Wilson, S. Wilson, Wineberry, Zellinsky

WHEREAS, Willfried and Ilona Schorno are currently residents of the State of Washington; and

WHEREAS, The Schornos hired an attorney to assist them in paperwork to emigrate from their Switzerland and the attorney advised them to come to Washington. They disposed of all their possessions and moved to this state. They have learned that they were misguided by their attorney and are now being threatened with deportation; and

WHEREAS, The Schornos have established a business in Tacoma, the Matterhorn Restaurant, and are bona fide business people with a staff of five in their established business; and

WHEREAS, Congressman Norman D. Dicks has introduced a bill (H.R. 488) in the United States Congress seeking relief from their status with the United States Immigration and Naturalization Service; and

WHEREAS, H.R. 488 has been referred to the House Committee on Judiciary;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That the United States Congress is urged to move quickly to expedite the plight of the Schorno family by enacting H.R. 488 to grant them permanent residence, and that the Secretary of State shall instruct the proper officer to deduct two numbers from the total number of immigrant visas and conditional entries which are made available to natives of the countries of the alien's birth under paragraphs (1) through (8) of section 203(a) of the Immigration and Naturalization Act.

BE IT FURTHER RESOLVED, That copies of this Resolution be forwarded to President Ronald Reagan, Secretary of State George Schultz, the President of the United States Senate, the Speaker of the United States House of Representatives, to the members of the congressional delegation from Washington State, and the Schorno family.

Mr. Madsen moved adoption of the resolution. Representatives Madsen and Winsley spoke in favor of the resolution and it was adopted.

## MOTION

On motion of Mr. J. King, the House was recessed until 1:30 p.m.

## AFTERNOON SESSION

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

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

## SECOND READING

SUBSTITUTE HOUSE BILL NO. 192, by Committee on Constitution, Elections & Ethics (originally sponsored by Representatives Fisher, Miller, Valle, D. Nelson, Jacobsen, Unsoeld, Leonard, Tanner, Sayan, Dellwo, Lux and Armstrong)

Limiting campaign contributions.

The bill was read the second time.

Ms. Fisher moved adoption of the following amendment:

On page 1, after line 24 strike all of subsection (c) on lines 25 and 26 and insert:

"(c) One party organization for each legislative district which organization is established or created by or under the bylaws, rules, or charter of the party's state organization."

Representatives Fisher and Barnes spoke in favor of the amendment.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Fisher to page 1, line 24 of Substitute House Bill No. 192, and the amendment was adopted by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J. King P., King R., Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D., Nelson G., Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C., Smith L., Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Waik, Walker, Wang, West, Williams B., Williams J., Wilson K., Wilson S., Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

On motion of Mr. J. King, further consideration of Substitute House Bill No. 192 was deferred and the bill was ordered placed at the bottom of today's second reading calendar.

SUBSTITUTE HOUSE JOINT RESOLUTION NO. 25, by Committee on Constitution, Elections & Ethics (originally sponsored by Representatives Fisher, Fisch, Leonard and Hargrove)

Providing for the alteration of counties.

The House resumed consideration of the resolution on second reading. (For previous action, see yesterday's Journal.)

The Speaker stated the question before the House to be the amendment by Representative Fisch.

With the consent of the House, Mr. Fisch withdrew the amendment.

Mr. Fisch moved adoption of the following amendment:

On page 1, line 27 after "county" insert ", and the petition forms shall be organized and certified by voting precinct"

## MOTION

On motion of Mr. J. King, further consideration of Substitute House Joint Resolution No. 25 was deferred, and the resolution was placed at the bottom of the second reading calendar.

HOUSE BILL NO. 101, by Representatives Patrick and S. Wilson

Revising requirements for chance drawings by in-state grocery retail outlets.

The bill was read the second time. On motion of Mr. Wang, Substitute House Bill No. 101 was substituted for House Bill No. 101, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 101 was read the second time.

Mr. G. Nelson moved adoption of the following amendment by Representatives G. Nelson, J. Williams and Tanner:

On page 19, after line 10 strike all material through "consumption," on page 20, line 2.

Renumber the remaining sections consecutively.

Representatives G. Nelson, Fuhrman, Barnes and J. Williams spoke in favor of the amendment, and Representatives Patrick and Armstrong spoke against it.

Mr. Crane demanded the previous question and the demand was sustained.

The amendment was not adopted on a standing vote.

Mr. Todd moved adoption of the following amendment by Representatives Todd, Patrick, Brough and Crane:

On page 2, line 14 after "conduct" strike all material through "conducting" on line 16 and insert "~~((or allow its premises to be used for conducting bingo on more than three occasions per week and which does not conduct bingo in any location which is used for conducting))~~"

Representatives Todd, Crane, Patrick and Brough spoke in favor of the amendment, and it was adopted.

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

HOUSE BILL NO. 398, by Representatives Walk and Betrozoff; by Department of Licensing request

Requiring payment of the federal heavy vehicle use tax for state vehicle registration.

The bill was read the second time. On motion of Mr. J. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 398, and the bill passed the House by the following vote: Yeas, 96; absent, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luvan, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Absent: Representatives Dobbs, Wilson S - 2.

House Bill No. 398, having received the 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. 403, by Representatives Nutley, Brough, Miller, Valle, P. King and Barnes

Including aquifers in pollution protection provisions of sewer districts.

The bill was read the second time. On motion of Ms. Haugen, Substitute House Bill No. 403 was substituted for House Bill No. 403, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 403 was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Nutley and Miller spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 403, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen,

Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 403, having received the 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. 434, by Representatives Niemi, Brekke, Dellwo, Ballard and Cole

Providing for licensing of full-time faculty at University of Washington school of dentistry.

The bill was read the second time. Committee on Social & Health Services recommendation: Majority, do pass with the following amendment:

On page 2, line 10 after "for" strike "renewals of"

On motion of Ms. Brekke, the committee amendment was adopted.

On motion of Ms. Brekke, the following amendment by Representatives Brekke and Niemi was adopted:

On page 2, line 2 strike "license to practice dentistry in the state of Washington may be revoked" and insert "licensee may be disciplined"

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 434, and the bill passed the House by the following vote: Yeas, 94; absent, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Absent: Representatives Bond, Dobbs, Prince, Tilly - 4.

Engrossed House Bill No. 434, having received the 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. 452, by Representatives Baugher, Lewis, McMullen, Armstrong, Crane and Hine

Adding factors to be considered before releasing an accused on personal recognizance.

The bill was read the second time. On motion of Mr. Armstrong, Substitute House Bill No. 452 was substituted for House Bill No. 452, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 452 was read the second time. On motion of Mr. J. King, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 452, and the bill passed the House by the following vote: Yeas, 98.

Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 99.

Substitute House Bill No. 452, having received the 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. 456, by Representatives Crane, Kremen, Hargrove, Rayburn and Valle

Authorizing preliminary chemical breath analysis of persons suspected of driving while intoxicated.

The bill was read the second time. On motion of Mr. Armstrong, Substitute House Bill No. 456 was substituted for House Bill No. 456, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 456 was read the second time. On motion of Mr. J. King, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 456, and the bill passed the House by the following vote: Yeas, 95; nays, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representatives Nutley, van Dyke, Vekich - 3.

Substitute 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.

HOUSE BILL NO. 460, by Representatives Wang, Jacobsen, Tilly, D. Nelson, Long, Locke, Barnes, Armstrong, Isaacson, Todd, Gallagher, Unsoeld and Winsley

Restricting telephone solicitation.

The bill was read the second time. On motion of Mr. D. Nelson, Substitute House Bill No. 460 was substituted for House Bill No. 460, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 460 was read the second time. On motion of Mr. J. King, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Wang and Isaacson spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 460, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Saryan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute 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.

#### MOTION

On motion of Mr. J. King, the House recessed until 6:45 p.m.

#### EVENING SESSION

The House was called to order at 6:45 p.m. by the Speaker. The Clerk called the roll and all members were present.

#### MESSAGE FROM THE SENATE

March 11, 1985

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 3024,  
 ENGROSSED SENATE BILL NO. 3046,  
 ENGROSSED SENATE BILL NO. 3132,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3276,  
 SUBSTITUTE SENATE BILL NO. 3378,  
 SUBSTITUTE SENATE BILL NO. 3386,  
 SENATE BILL NO. 3426,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3431,  
 SENATE BILL NO. 3486,  
 SENATE BILL NO. 3570,  
 SENATE BILL NO. 3593,  
 ENGROSSED SENATE BILL NO. 3596,  
 SUBSTITUTE SENATE BILL NO. 3602,  
 SENATE BILL NO. 3625,  
 SUBSTITUTE SENATE BILL NO. 3776,  
 SUBSTITUTE SENATE BILL NO. 3814,  
 SENATE BILL NO. 3851,  
 ENGROSSED SENATE BILL NO. 3852,  
 ENGROSSED SENATE BILL NO. 3854,  
 ENGROSSED SENATE BILL NO. 4113,  
 ENGROSSED SENATE BILL NO. 4127,  
 SUBSTITUTE SENATE BILL NO. 4128,  
 SUBSTITUTE SENATE BILL NO. 4138,  
 ENGROSSED SENATE BILL NO. 4169,  
 ENGROSSED SENATE BILL NO. 4185,  
 SENATE BILL NO. 4212,  
 SENATE BILL NO. 4234,  
 SENATE BILL NO. 4266,  
 SUBSTITUTE SENATE BILL NO. 4281,  
 SUBSTITUTE SENATE BILL NO. 4314,  
 SUBSTITUTE SENATE BILL NO. 4386,  
 SUBSTITUTE SENATE BILL NO. 4424,

SUBSTITUTE SENATE JOINT MEMORIAL NO. 121,  
 ENGROSSED SENATE CONCURRENT RESOLUTION NO. 115,  
 and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTIONS AND FIRST READING

- ESSB 3024 by Committee on Agriculture (originally sponsored by Senator Barr)  
 Changing provisions relating to animals and fences.  
 Referred to Committee on Agriculture.
- ESB 3046 by Senator Williams  
 Increasing the utilities and transportation commission to five members.  
 Referred to Committee on Energy & Utilities.
- ESB 3132 by Senators Patterson, Rinehart, Gaspard, Goltz, Saling, Johnson,  
 Bauer, Warnke, Bender, Conner, McManus and McDermott  
 Permitting increased funding for higher education financial aid.  
 Referred to Committee on Higher Education.
- ESSB 3276 by Committee on Judiciary (originally sponsored by Senators  
 McDermott, Talmadge, Stratton, Gaspard, Kreidler, DeJarnatt,  
 Halsan, Conner, McManus, Peterson, Fleming, Goltz, Rasmussen,  
 Garrett, Wojahn, Bauer, Hansen, Boltiger, Thompson, Bender,  
 Granlund, Owen, Williams, Lee, Barr and von Reichbauer; by  
 Lieutenant Governor request)  
 Establishing a missing children clearinghouse.  
 Referred to Committee on Social & Health Services.
- SSB 3378 by Committee on Agriculture (originally sponsored by Senators  
 Fleming, Hansen, McDermott, Bauer, Barr, Wojahn, Bailey, Deccio,  
 Benitz and Patterson)  
 Establishing a state agricultural finance commission.  
 Referred to Committee on Agriculture.
- SSB 3386 by Committee on Governmental Operations (originally sponsored by  
 Senators Thompson, Talmadge and Zimmerman)  
 Revising laws on executive sessions of governing bodies.  
 Referred to Committee on State Government.
- SB 3426 by Senators Warnke, Newhouse, Vognild and Conner; by Board of  
 Industrial Insurance Appeals request  
 Revising provisions relating to industrial insurance appeals.  
 Referred to Committee on Commerce & Labor.
- ESSB 3431 by Committee on Energy & Utilities (originally sponsored by Senators  
 Goltz, Moore, Owen, McManus, Bailey and McCaslin)  
 Restricting local measured service telephone rates.  
 Referred to Committee on Energy & Utilities.
- SB 3486 by Senators DeJarnatt, Newhouse, Halsan, Warnke and Vognild  
 Limiting the area in which a county may impose a tax on gambling.  
 Referred to Committee on Commerce & Labor.
- SB 3570 by Senators Gaspard, Saling, Conner and McManus; by Military  
 Department request  
 Continuing the National Guard educational assistance program.  
 Referred to Committee on Education.

- SB 3593 by Senators Thompson, McCaslin, Hansen, Patterson and Zimmerman  
Ratifying previous local government reimbursements for costs related to the Mt. St. Helens eruption.  
Referred to Committee on Local Government.
- ESB 3596 by Senators Granlund, Kiskaddon, Talmadge, Deccio and Kreidler; by Office of Financial Management request  
Changing provisions relating to the state criminal justice information system.  
Referred to Committee on Social & Health Services.
- SSB 3602 by Committee on Financial Institutions (originally sponsored by Senators Moore, Sellar and Wojahn; by Department of General Administration request)  
Revising provisions relating to savings and loan associations.  
Referred to Committee on Financial Institutions & Insurance.
- SB 3625 by Senators Kreidler, Zimmerman and Bottiger  
Changing provisions relating to fire protection district annexation.  
Referred to Committee on Local Government.
- SSB 3776 by Committee on Governmental Operations (originally sponsored by Senators Thompson, Bluechel, Wojahn, Zimmerman, Goltz, Kiskaddon, McDermott, Warnke and McManus; by Arts Commission request)  
Authorizing the continued existence of the state arts commission and restructuring the commission.  
Referred to Committee on State Government.
- SSB 3814 by Committee on Commerce & Labor (originally sponsored by Senators Warnke, Cantu, Vognild, Goltz, Newhouse, Lee, Conner, Wojahn, Bauer and Johnson)  
Establishing the center for international trade in forest products.  
Referred to Committee on Trade & Economic Development.
- SB 3851 by Senators Wojahn, Warnke and Vognild  
Allowing security and law enforcement officers, and fire fighters over eighteen upon licensed premises.  
Referred to Committee on Commerce & Labor.
- ESB 3852 by Senators Wojahn, von Reichbauer, McManus, Pullen, Vognild and Johnson  
Modifying the joint legislative committee on child support.  
Referred to Committee on Social & Health Services.
- ESB 3854 by Senators Rinehart, Rasmussen and Bender  
Permitting ongoing absentee voters.  
Referred to Committee on Constitution, Elections & Ethics.
- ESB 4113 by Senators McDermott, Sellar and Johnson  
Authorizing state financial institutions to charge interest rates on credit cards competitive with those charged in other states.  
Referred to Committee on Financial Institutions & Insurance.
- ESB 4127 by Senators Wojahn, Newhouse, Vognild, Benitz, Goltz, Hansen, Halsan, Warnke, Deccio and Hayner  
Revising provisions relating to alcoholic beverage licenses.  
Referred to Committee on Commerce & Labor.



- SSB 4128 by Committee on Human Services & Corrections (originally sponsored by Senator McCaslin; by Corrections Standards Board request)  
Revising the authority of the corrections standards board.  
Referred to Committee on Social & Health Services.
- SSB 4138 by Committee on Financial Institutions (originally sponsored by Senators Moore, Saling and Stratton; by Office of Insurance Commissioner request)  
Revising procedures governing acquisition of domestic insurers.  
Referred to Committee on Financial Institutions & Insurance.
- ESB 4169 by Senators McDermott, Zimmerman and Gaspard  
Extending the Thomas Burke Memorial Washington State Museum of the University of Washington.  
Referred to Committee on Higher Education.
- ESB 4185 by Senators Rinehart, Patterson and Gaspard  
Clarifying the definition of higher education tuition and fees.  
Referred to Committee on Higher Education.
- SB 4212 by Senators Warnke, McManus, Bender, Bauer, Gaspard, Moore and Johnson  
Establishing an international trade and investment information program.  
Referred to Committee on Trade & Economic Development.
- SB 4234 by Senators Conner, Garrett, McManus, Williams and Johnson  
Extending certain tax exemptions for ride-sharing vehicles.  
Referred to Committee on Transportation.
- SB 4266 by Senators Williams and Benitz; by Energy Facility Site Evaluation request  
Modifying provisions on the energy facility site evaluation council.  
Referred to Committee on Energy & Utilities.
- SSB 4281 by Committee on Transportation (originally sponsored by Senators Hayner, Benitz, Newhouse, Patterson, Barr, Bailey, Hansen and Bauer)  
Prohibiting vehicles from leaking hazardous liquids.  
Referred to Committee on Transportation.
- SSB 4314 by Committee on Natural Resources (originally sponsored by Senators Halsan and Owen)  
Requiring proposals for legislation to reinstate certain natural fish runs.  
Referred to Committee on Natural Resources.
- SSB 4386 by Committee on Governmental Operations (originally sponsored by Senators Thompson and Zimmerman)  
Revising provisions relating to the bonded indebtedness of a public library.  
Referred to Committee on Local Government.
- SSB 4424 by Committee on Agriculture (originally sponsored by Senator Hansen)  
Reopening the certification period of the pollution control board for certain parties to the Yakima adjudication.  
Referred to Committee on Agriculture.

SSJM 121 by Committee on Agriculture (originally sponsored by Senators Bauer, Hansen, Benitz, Moore, Gaspard, Barr, DeJarnatt, Goltz, Rasmussen, Bender, Wojahn and Bailey)

Urging Congress to amend federal law to assist farm banks.

Referred to Committee on Agriculture.

ESCR 115 by Senators Warnke, Bender, Fleming, Vognild, McManus, Garrett, Rasmussen, Moore, Newhouse and Sellar; by Lieutenant Governor request

Establishing the joint select committee on international trade, tourism, and investment.

Referred to Committee on Trade & Economic Development.

#### MOTION

On motion of Mr. J. King, the bills, memorials and resolutions listed on today's supplemental introduction calendar were considered first reading under the fourth order of business and referred to the committees designated.

#### REPORTS OF STANDING COMMITTEES

March 12, 1985

HB 973 Prime Sponsor, Representative Rust: Revising certain provisions relating to outdoor recreation. Reported by Committee on Rules

Referred to Committee on Ways & Means with proposed substitute.

March 12, 1985

HB 985 Prime Sponsor, Representative Rayburn: Authorizing sale of general obligation bonds for agricultural water supply facilities. Reported by Committee on Rules

Referred to Committee on Ways & Means with proposed amendment.

March 12, 1985

HB 1189 Prime Sponsor, Representative Bristow: Providing for noxious weed control funding. Reported by Committee on Rules

Referred to Committee on Ways & Means with proposed substitute.

#### SECOND READING

HOUSE BILL NO. 466, by Representatives Sutherland, Belcher and S. Wilson

Revising provisions relating to wholesale fish dealers.

The bill was read the second time. On motion of Mr. Sutherland, Substitute House Bill No. 466 was substituted for House Bill No. 466, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 466 was read the second time. On motion of Mr. J. King, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 466, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 466, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was declared to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 192:

The House resumed consideration of the bill on second reading.

Mr. Barnes moved adoption of the following amendment:

On page 2, line 16 after "any" strike "loan"

Mr. Barnes spoke in favor of the amendment, and Ms. Fisher spoke against it.

The amendment was not adopted.

Mr. Barnes moved adoption of the following amendment:

On page 2, line 28 following "worker" insert "when the worker resides within the district where these voluntary labors are being expended"

Representative Barnes, Barrett and Long spoke in favor of the amendment, and Representative Fisher spoke against it.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Barnes to page 2, line 28 of Substitute House Bill No. 192, and the amendment was not adopted by the following vote: Yeas, 45; nays, 53.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 45.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 53.

Mr. Barnes moved adoption of the following amendment:

On page 3, line 3 after "contributions" insert "to the host committee or the candidate for whom the dinner or party is being held"

Mr. Barnes spoke in favor of the amendment, and Ms. Fisher spoke against it.

Mr. Barnes spoke again in favor of the amendment

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Barnes to page 3, line 3 of Substitute House Bill No. 192 and the amendment was not adopted by the following vote: Yeas, 42; nays, 56.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S - 42.

Voting nay: Representatives Allen, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Miller, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 56.

Ms. Allen moved adoption of the following amendments:

On page 3, line 17 following "exceed" strike "one thousand five hundred" and insert "two hundred and fifty"

On page 3, line 24 following "exceed" strike "one thousand five hundred" and insert "two hundred and fifty"

On page 3, line 27 strike "three thousand" and insert "five hundred"

On page 3, line 34 strike "three thousand" and insert "five hundred"

Representatives Allen and Brough spoke in favor of the amendments, and Ms. Fisher opposed them.

A division was called.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Allen to page 3 of Substitute House Bill No. 192, and the amendments were adopted by the following vote:

Yeas, 71; nays, 27.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Betrozoff, Bond, Brooks, Brough, Chandler, Crane, Day, Dellwo, Dobbs, Doty, Fisch, Fuhrman, Gallagher, Hankins, Hargrove, Hastings, Haugen, Holland, Isaacson, King P, King R, Kremen, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Sanders, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sutherland, Tanner, Taylor, Thomas, Tilly, Valle, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky - 71.

Voting nay: Representatives Belcher, Braddock, Brekke, Bristow, Cole, Ebersole, Fisher, Grimm, Hine, Jacobsen, King J, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Rust, Sayan, Sommers, Todd, Unsoeld, Vekich, Walk, Wang, and Mr. Speaker - 27.

#### MOTION FOR RECONSIDERATION

Mr. Barrett, having voted on the prevailing side, moved that the House immediately reconsider the vote by which the amendments by Representative Allen were adopted.

Mr. J. King spoke in favor of the motion.

#### ROLL CALL

The Clerk called the roll on the motion to reconsider the vote by which the amendments by Representative Allen to Substitute House Bill No. 192 were adopted, and the motion carried by the following vote: Yeas, 50; nays, 48.

Voting yea: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Grimm, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, and Mr. Speaker - 50.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Gallagher, Hankins, Hargrove, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley, Zellinsky - 48.

The Speaker stated the question before the House to be reconsideration of adoption of the amendments by Representative Allen.

A division was called.

#### ROLL CALL

The Clerk called the roll on reconsideration of adoption of the amendments by Representative Allen to Substitute House Bill No. 192, and the amendments were adopted by the following vote: Yeas, 50; nays, 48.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hargrove, Hastings, Haugen, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 50.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry - 48.

Mr. Barnes moved adoption of the following amendments:

On page 3, following line 27 insert "The total contributions that may be received by any campaign from county central committees may not exceed three thousand dollars."

On page 3, line 35 following "campaign." insert "The total contributions that may be received by any campaign from county central committees may not exceed three thousand dollars."

Mr. Barnes spoke in favor of the amendments, and Representatives Fisher and Miller spoke against them.

Mr. Barnes spoke again in favor of the amendments.

The amendments were not adopted.

#### MOTION

On motion of Mr. J. King, further consideration of Substitute House Bill No. 192 was deferred and the bill was ordered placed at the bottom of today's second reading calendar.

HOUSE BILL NO. 479, by Representatives Appelwick, Jacobsen, Hargrove, Schoon, May and Taylor

Authorizing state park passes and fishing licenses for disabled persons.

The bill was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 479, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J. King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

House 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.

HOUSE BILL NO. 495, by Representatives Dellwo, Armstrong, Lewis, Scott, Tilly, Locke, Niemi, Lux, Hargrove and Belcher

Authorizing retrocession of jurisdiction over certain Indian land.

The bill was read the second time. On motion of Mr. Armstrong, Substitute House Bill No. 495 was substituted for House Bill No. 495, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 495 was read the second time.

On motion of Mr. Bristow, the following amendments by Representatives Bristow and Dellwo were adopted:

On page 1, line 16 after "jurisdiction" insert ", if any."

On page 2, line 18 after "jurisdiction." strike all material through "non-Indians." on line 19 and insert "This act shall not authorize any criminal or civil jurisdiction over non-Indians."

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

HOUSE BILL NO. 542, by Representatives Day, Padden, Fisher, Dellwo, Barrett, P. King, Silver, Sanders and Scott

Permitting voter registration officers to require proof of age from applicants.

The bill was read the second time.

Mr. Wang moved adoption of the following amendments by Representatives Wang, Day and Barrett:

On page 1, line 28 strike ~~((Failure))~~ The registration officer shall not register an applicant who fails and insert "Failure"

On page 1, line 29 after "identification" insert "except when necessary to establish the applicant's date of birth"

On page 2, line 1 strike all material after "registration" through ~~"produced")"~~ on line 4 and insert "as set forth in this section shall not deter the act of registration: PROVIDED, That registration officials shall indicate on the registration form by checking either 'identification produced' or 'identification not produced'"

Representatives Wang and Padden spoke in favor of the amendments, and they were adopted.

Mr. Lux moved adoption of the following amendment:

On page 2, after line 4, insert the following:

"Sec. 2. Section 29.07.070, chapter 9, Laws of 1965 as last amended by section 3, chapter 21, Laws of 1973 1st ex. sess. and RCW 29.07.070 are each amended to read as follows:

The registration officer shall interrogate the applicant for registration, concerning ~~((his))~~ the applicant's qualifications as a voter of the state, and of the county, city, town, and precinct in which ~~((he))~~ the applicant applies for registration, requiring ~~((him))~~ the applicant to state:

(1) The previous address of the last former registration of the applicant as a voter in the state;

(2) ~~((His))~~ Full name;

(3) Date of birth;

(4) Place of residence, street and number, if any, or post office or rural mail route address;

(5) Whether ~~((he))~~ the applicant is a citizen of the United States; and

(6) Place of birth (city and state or equivalent).

Answers to all questions shall be inserted on a single registration form to be prescribed by the secretary of state."

Mr. Lux spoke in favor of the amendment, and Mr. Barrett spoke against it.

Mr. Lux spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Lux to page 2, line 4 of House Bill No. 542, and the amendment was adopted by the following vote: Yeas, 65; nays, 32; absent, 1.

Voting yea: Representatives Addison, Appelwick, Barnes, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Leonard, Long, Lundquist, Lux, Madsen, McMullen, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Peery, Prince, Rayburn, Rust, Sayan, Scott, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Tilly, Todd, Unsoeld, Valle, Vekich, Wang, West, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 65.

Voting nay: Representatives Allen, Armstrong, Ballard, Barrett, Brooks, Brough, Doty, Fuhrman, Hankins, Hastings, Haugen, Kremen, Lewis, Locke, May, Miller, Nealey, Padden, Patrick, Schmidt, Schoon, Silver, Taylor, Thomas, van Dyke, Van Luven, Vander Sloep, Walk, Walker, Williams B, Williams J, Wilson S - 32.

Absent: Representative Sanders - 1.

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

On page 1, line 2 of the title after "29.07.065" insert "and 29.07.070"

House Bill No. 542 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 575, by Representatives Fisher, Winsley, Fisch, Walk, Wang, Smitherman and Ebersole

Authorizing payroll deductions for political contributions by public transportation employees.

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

HOUSE BILL NO. 622, by Representatives Vekich, Braddock, Basich, Kremen, J. King, Nutley, Schoon, Sanders, Peery, McMullen, Hargrove, L. Smith, Niemi, Brough, Bristow, Unsoeld, Todd, Allen, Armstrong, D. Nelson, Cole, Appelwick, Smitherman, G. Nelson, P. King and May

Modifying provisions on the Washington centennial commission.

The bill was read the second time. On motion of Mr. McMullen, Substitute House Bill No. 622 was substituted for House Bill No. 622, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 622 was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 622, and the bill passed the House by the following vote: Yeas, 93; nays, 5.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Vander Stoep, Vekich, Walk, Walker, Wang, Williams B, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives Brekke, Locke, Van Luven, West, Williams J - 5.

Substitute House Bill No. 622, having received the 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. 717, by Representatives Todd, Isaacson, D. Nelson, Schmidt, Unsoeld, Long, Van Luven, Cole, Crane, Brough, Allen, Thomas and Wineberry

Imposing requirements for approval of optional local measured service telephone rates.

The bill was read the second time. On motion of Mr. D. Nelson, Substitute House Bill No. 717 was substituted for House Bill No. 717, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 717 was read the second time.

Mr. Todd moved adoption of the following amendment by Representatives Todd, D. Nelson and Isaacson:

On page 2, line 15 after "service," strike "or" and insert "or to pay telephone service, or to"

Representatives Todd and Isaacson spoke in favor of the amendment, and it was adopted.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 717, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman,

Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Engrossed Substitute House Bill No. 717, having received the 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. 720, by Representatives Walk and Schmidt

Establishing the highway construction stabilization account.

The bill was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 720, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

House Bill No. 720, having received the 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. 731, by Representatives Madsen and R. King

Requiring the director of agriculture to establish a program for breeding and marketing horses.

The bill was read the second time. On motion of Mr. Vekich, Substitute House Bill No. 731 was substituted for House Bill No. 731, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 731 was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 731, and the bill passed the House by the following vote: Yeas, 97; nays, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Voting nay: Representative Barnes - 1.

Substitute House Bill No. 731, having received the 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. 787, by Representatives Tilly, Wang, Betrozoff, Crane, J. Williams and Bond

Exempting avalanche control activities from the state explosives act.

The bill was read the second time. Committee on Commerce & Labor recommendation: Majority, do pass as amended. (For amendments, see Journal, 47th Day, March 1, 1985.)

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

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 787, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Engrossed House Bill No. 787, having received the 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. 832, by Representatives Kremen, Smitherman, Tilly, Barrett, McMullen and Zellinsky

Authorizing the acceptance of gifts by the world fair commission.

The bill was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 832, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

House Bill No. 832, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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

#### MOTION

On motion of Mr. J. King, Substitute House Bill No. 192 was placed on the second reading calendar for immediate consideration.

HOUSE BILL NO. 192:

The House resumed consideration of the bill on second reading.

#### MOTION

Mr. Ehlers moved that the House now reconsider the vote by which the amendments by Representative Allen to page 3 were adopted.

#### POINT OF ORDER

Mr. G. Nelson: "Mr. Speaker, I would ask the Chair to rule in consideration of Reed's Rule 204 through 206 regarding when the motion for reconsideration may be made and how many times."

#### SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Rule 30 states as follows: 'The rules of parliamentary practice comprised in Reed's Parliamentary Rules shall govern all cases in which they are not inconsistent with the standing rules and orders of the house.' It appears that our House rules would supersede Reed's Rules. The question before you is: The amendment was decided in the affirmative and our House rules state that a motion to be reconsidered can be decided only once when decided in the negative. We are in the affirmative and it appears to be covered."

Mr. G. Nelson: "If because it was decided in the affirmative and our House rules are silent when it's decided in the affirmative, the only thing you would default to is Reed's Rules. We do not have any information in our House rules that decides the affirmative and whenever there is nothing in the House rules that addresses that, you automatically go to Reed's Rules."

The Speaker (Mr. O'Brien presiding): "It appears the question raised by Representative Ehlers on the affirmative basis is fairly well taken. Therefore, I'm going to rule that the motion to reconsider the affirmative vote on adoption of the amendment is in order."

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

#### ROLL CALL

The Clerk called the roll on the motion that the House reconsider the vote by which the amendments by Representative Allen to page 3 of Substitute House Bill No. 192 were adopted, and the motion was carried by the following vote: Yeas, 53; nays, 45.

Voting yea: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 53.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 45.

The Speaker resumed the Chair.

The Speaker stated the question before the House to be reconsideration of the amendments by Representative Allen.

A division was called.

Representative Barrett spoke in favor of the amendments.

#### ROLL CALL

The Clerk called the roll on reconsideration of adoption of the amendments by Representative Allen to page 3 of Substitute House Bill No. 192, and the amendments were not adopted by the following vote: Yeas, 49; nays, 49.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hargrove, Hastings, Haugen, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick,

Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley, Zellinsky - 49.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, and Mr. Speaker - 49.

Mr. Barnes moved adoption of the following amendment:

On page 3, line 29 after "act" insert ": PROVIDED, That no legislative district organization may make contributions to state legislative candidates in races outside of its district."

Mr. Barnes spoke in favor of the amendment, and Ms. Fisher spoke against it.

Mr. Barnes spoke again in favor of the amendment.

A division was called.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Barnes to page 3, line 29 of Substitute House Bill No. 192, and the amendment was not adopted by the following vote: Yeas, 39; nays, 59.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hastings, Isaacson, Lewis, Lundquist, May, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S - 39.

Voting nay: Representatives Allen, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lux, Madsen, McMullen, Miller, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 59.

Mr. Barnes moved adoption of the following amendment:

On page 5, line 17 after "ability to" strike "direct" and insert "influence"

Mr. Barnes spoke in favor of the amendment, and Ms. Fisher spoke against it.

The amendment was not adopted.

Mr. Nealey moved adoption of the following amendment:

On page 6, line 3 following "contribution" insert "knowingly"

Representatives Nealey and Padden spoke in favor of the amendment, and Ms. Fisher spoke against it.

A division was called.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Nealey to page 6, line 3 of Substitute House Bill No. 192, and the amendment was not adopted by the following vote: Yeas, 43; nays, 55.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S - 43.

Voting nay: Representatives Allen, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Miller, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 55.

Ms. Thomas moved adoption of the following amendment:

On page 6, following line 6 insert a new section as follows:

"**NEW SECTION.** Sec. 8. No contribution may be received from any source where all or part of the funds received may have come from a payroll deduction system."

Representatives Thomas and Barrett spoke in favor of the amendment, and Mr. Wang spoke against it.

A division was called.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Thomas to page 6 of Substitute House Bill No. 192, and the amendment was not adopted by the following vote: Yeas, 44; nays, 54.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betrozoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Locke, Long, Lundquist, May, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Zellinsky - 44.

Voting nay: Representatives Allen, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Lux, Madsen, McMullen, Miller, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Waik, Wang, Wilson K, Wineberry, Winsley, and Mr. Speaker - 54.

Ms. Walker moved adoption of the following amendment:

On page 6, line 7 strike all of section 8.

Ms. Walker spoke in favor of the amendment, and Ms. Sommers spoke against it.

The amendment was not adopted.

Mr. Barnes moved adoption of the following amendment:

On page 5, line 17 following "another" insert "or which provides for centralized decision making"

Representatives Barnes and Padden spoke in favor of the amendment, and Ms. Sommers spoke against it.

Mr. Barnes spoke again in favor of the amendment.

A division was called.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Barnes to page 5, line 17 of Substitute House Bill No. 192, and the amendment was not adopted by the following vote: Yeas, 42; nays, 56.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betrozoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fisch, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, Williams B, Williams J, Wilson S - 42.

Voting nay: Representatives Allen, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Miller, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, West, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 56.

Ms. Thomas moved adoption of the following amendment:

On page 5, line 21 strike "subsection (d) and renumber the remaining subsection accordingly.

Ms. Thomas spoke in favor of the amendment, and Ms. Fisher opposed it.

The amendment was not adopted.

Ms. Fisher moved adoption of the following amendment:

On page 8, after line 3 add the following sections:

"NEW SECTION, Sec. 9. (1) The provisions of this act apply to recall campaigns, as defined in this act, and portions of recall campaigns beginning after the effective date of this act.

(2) The provisions of this act apply to campaigns for state legislative office to fill unexpired terms, as defined in this act, and portions of such campaigns beginning after the effective date of this act.

(3) The provisions of this act apply to campaigns for state legislative office to fill regular terms in the house of representatives or senate if the campaign, as defined in this act, ends on or after December 1, 1986. However, for any campaign ending on December 1, 1986, the provisions of this act apply only to that portion of such campaign occurring after the effective date of this act.

**NEW SECTION, Sec. 10.** 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. 11.** This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

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

Mr. G. Nelson moved adoption of the following amendment to the Fisher amendment:

Strike all of section 11.

Mr. G. Nelson spoke in favor of the amendment.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Barrett: "Mr. Speaker, the amendment to the amendment is speaking to an emergency clause which either will or will not make this particular amendment effective at a certain time. Since there is just one member of this body who will be affected by the amendment and by the emergency clause, my point of parliamentary inquiry, Mr. Speaker, is: Is it permissible or will it be allowed for that particular member of this body to take part in this debate and in the voting on this issue?"

The Speaker: "Your point is not well taken, Representative Barrett, because all members are affected."

Mr. Barrett: "If I may speak on this further. No, all members are not affected by the emergency clause, Mr. Speaker, because none of our terms, with one exception, are up within the prescribed emergency time. Also, I would point out that the particular member that we have in mind will be under this jurisdiction and is now in the process of running since this is the year that member will run. Section 8(3) which is affected by section 11, certainly applies to only one member, not to any of the rest of us, Mr. Speaker."

The Speaker: "Once again, this applies to one-year, two-year periods. It's not necessarily just this one particular election coming up. Your point is not well taken."

Ms. Fisher spoke against the amendment to the amendment, and Mr. G. Nelson spoke again in favor of it.

A division was called.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative G. Nelson to the Fisher amendment to Substitute House Bill No. 192, and the amendment to the amendment was not adopted by the following vote: Yeas, 45; nays, 53.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G. Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Sloep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 45.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 53.

The Speaker stated the question before the House to be the amendment by Representative Fisher.

Representatives Fisher and Barnes spoke in favor of the amendment.

## POINT OF INQUIRY

Ms. Fisher yielded to question by Ms. Miller.

Ms. Miller: "Representative Fisher, is it your opinion that if we adopt this amendment it would apply retroactively as far as the contributions this person may have already received?"

Ms. Fisher: "No, it would not, only when the bill is signed, then that part of the bill will go into effect."

Ms. Miller: "So, if the campaign account has already been receiving moneys those would not be counted in this?"

Ms. Fisher: "That's correct."

Ms. Miller spoke against adoption of the amendment.

The amendment was adopted.

On motion of Ms. Fisher, the following amendment to the title was adopted:

On page 1, line 2 of the title after "42.17 RCW;" strike "and" and on line 2 of the title after "penalties" insert "; and declaring an emergency"

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

HOUSE BILL NO. 850, by Representatives Cole, Appelwick, G. Nelson, Wang, Tilly, Ebersole, O'Brien, Taylor, Betzoff, D. Nelson and Jacobsen

Continuing and modifying regulation of landscape architects.

The bill was read the second time. On motion of Ms. Cole, Substitute House Bill No. 850 was substituted for House Bill No. 850, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 850 was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 850, and the bill passed the House by the following vote: Yeas, 91; nays, 7.

Voting yea: Representatives Addison, Appelwick, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smitherman, Sutherland, Tanner, Taylor, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vekich, Walk, Walker, Wang, West, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Allen, Armstrong, Smith L, Sommers, Thomas, Vander Stoep, Williams B - 7.

Substitute House Bill No. 850, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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

## MOTION FOR RECONSIDERATION

Ms. Brough, having voted on the prevailing side, moved that the House now reconsider the vote by which Engrossed Substitute House Bill No. 23 failed to pass the House.

The motion was carried.

On motion of Mr. J. King, further consideration of Engrossed Substitute House Bill No. 23 was deferred, and the bill was ordered placed at the top of the third reading calendar for the next working day.

## MOTION

On motion of Mr. J. King, the House adjourned until 9:30 a.m., Wednesday, March 13, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk

## FIFTY-NINTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, March 13, 1985.

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

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Asser Aldana and Ryan Hart. Prayer was offered by Father Michael Ryan, St. Michael's Catholic Church of Olympia.

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

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

## THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 23, by Committee on Local Government (originally sponsored by Representatives Haugen, Allen, Miller and Rayburn)

Providing regulations for compensation for members of special district governing bodies.

The bill was read the third time.

Mr. J. King moved that the rules be suspended and the bill be returned to second reading for the purpose of amendment.

A division was called.

## ROLL CALL

The Clerk called the roll on the motion to suspend the rules and return Engrossed Substitute House Bill No. 23 to second reading, and the motion received the necessary two-thirds majority by the following vote: Yeas, 74; nays, 14; absent, 10.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Baugher, Belcher, Betzoff, Bond, Braddock, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King R, Leonard, Lewis, Long, Lundquist, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Scott, Silver, Smith C, Smith L, Smitherman, Sutherland, Tanner, Taylor, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 74.

Voting nay: Representatives Brekke, Dobbs, Hastings, Kremen, May, Nealey, Nelson G, Padden, Thomas, Tilly, van Dyke, West, Williams B, Williams J - 14.

Absent: Representatives Basich, King P, Locke, Lux, Miller, Sanders, Schmidt, Schoon, Sommers, Wineberry - 10.

## STATEMENT FOR THE JOURNAL

I wish the record to show that I would have voted "Yea" on the motion to return Engrossed Substitute House Bill No. 23 to second reading.

PAUL KING, 44th District.

## MOTION

On motion of Mr. J. King, further consideration of Engrossed Substitute House Bill No. 23 was deferred and the bill was ordered placed at the bottom of today's second reading calendar.



ENGROSSED HOUSE BILL NO. 22, by Representatives Vekich, Nealey, Baugher, Holland, Todd, Betrozoff, C. Smith, Isaacson, Doty, Unsoeld, Rayburn, Chandler and Sayan

Providing remedies to protect ground water rights.

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

Representatives Vekich, Nealey and C. Smith spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 22, and the bill passed the House by the following vote: Yeas, 96; absent, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 96.

Absent: Representatives Locke, Wineberry - 2.

Engrossed House Bill No. 22, having received the 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. 127, by Committee on Natural Resources (originally sponsored by Representatives Sutherland and McMullen)

Empowering wildlife agents and fisheries patrol officers to enforce state traffic and criminal laws.

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

Representatives Sutherland, Sanders, Patrick, Basich and McMullen spoke in favor of passage of the bill, and Representatives Miller, Vekich, Fuhrman, Dobbs, Van Luven and West spoke against it.

Mr. Crane demanded the previous question and the demand was sustained.

Mr. Sutherland spoke again in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 127, and the bill passed the House by the following vote: Yeas, 51; nays, 47.

Voting yea: Representatives Appelwick, Armstrong, Barnes, Basich, Baugher, Belcher, Braddock, Brekke, Brough, Cole, Crane, Ebersole, Fisher, Grimm, Hargrove, Haugen, Hine, Holland, Jacobsen, King J, King R, Kremen, Leonard, Locke, Lundquist, Lux, Madsen, McMullen, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Rust, Sanders, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Tilly, Todd, Unsoeld, Valle, Vander Stoep, Walk, Wilson K, and Mr. Speaker - 51.

Voting nay: Representatives Addison, Allen, Ballard, Barrett, Betrozoff, Bond, Bristow, Brooks, Chandler, Day, Dellwo, Dobbs, Doty, Fisch, Fuhrman, Gallagher, Hankins, Hastings, Isaacson, King P, Lewis, Long, May, Miller, Nealey, Padden, Prince, Rayburn, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, van Dyke, Van Luven, Vekich, Walker, Wang, West, Williams B, Williams J, Wilson S, Wineberry, Winsley, Zellinsky - 47.

Substitute House Bill No. 127, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SPEAKER'S PRIVILEGE

The Speaker recognized within the House Chamber, the 1985 Apple Blossom Queen and her court. The Speaker appointed Representatives Rayburn, Baugher, Tilly and Ballard to escort them to the rostrum.

The Speaker introduced Queen Dorci Howe and she briefly addressed the House.

The Speaker instructed the committee to escort the Apple Blossom Queen and her court from the House Chamber.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 166, by Committee on Higher Education (originally sponsored by Representatives Sayan, Sommers, Belcher, Prince and Jacobsen)

Changing provisions relating to public university and college construction bids.

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

Representatives Sayan and Miller spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 166, and the bill passed the House by the following vote: Yeas, 84; nays, 14.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Smith C, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 84.

Voting nay: Representatives Barnes, Barrett, Bond, Dobbs, Fuhrman, Hastings, Isaacson, Padden, Prince, Sanders, Silver, Smith L, van Dyke, Van Luven - 14.

Engrossed Substitute House Bill No. 166, having received the 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. 629, by Representatives Cole, R. King, Ebersole, Scott, Betzoff, Walker, Taylor, Armstrong, Jacobsen, Basich, Unsoeld, P. King, Leonard, Long, Appelwick, Vekich, Rust, Todd, D. Nelson, Belcher and Barnes

Modifying requirements for elections for general obligation bonds for capital purposes.

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

Ms. Cole spoke in favor of the bill, and Mr. Isaacson spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 629, and the bill passed the House by the following vote: Yeas, 70; nays, 28.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brough, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lux, Madsen, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Taylor, Todd, Unsoeld, Valle, Vander Stoep, Vekich, Walk, Walker, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 70.

Voting nay: Representatives Addison, Bond, Brooks, Chandler, Dobbs, Doty, Fuhrman, Hastings, Isaacson, Lundquist, May, Nealey, Padden, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Thomas, Tilly, van Dyke, Van Luven, West, Williams B, Williams J, Wilson S, Winsley - 28.

House Bill No. 629, having received the 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. 101, by Committee on Commerce & Labor (originally sponsored by Representatives Patrick and S. Wilson)

Revising requirements for chance drawings by in-state grocery retail outlets.

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

Representatives Patrick, Armstrong and J. King spoke in favor of passage of the bill, and Representatives R. King, Fuhrman, Bond and G. Nelson spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 101, and the bill passed the House by the following vote: Yeas, 60; nays, 38.

Voting yea: Representatives Allen, Appelwick, Armstrong, Barrett, Basich, Betrozoff, Braddock, Brekke, Bristow, Brough, Chandler, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Jacobsen, King J, King P, Kremen, Leonard, Lewis, Locke, Lundquist, Lux, Madsen, McMullen, Miller, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Todd, Unsoeld, Valle, Vander Stoep, Walk, Wang, Wilson K, Wineberry, and Mr. Speaker - 60.

Voting nay: Representatives Addison, Ballard, Barnes, Baugher, Belcher, Bond, Brooks, Dobbs, Doty, Fuhrman, Hastings, Isaacson, King R, Long, May, Nealey, Nelson D, Nelson G, Padden, Sanders, Sayan, Schmidt, Smith C, Sutherland, Tanner, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vekich, Walker, West, Williams B, Williams J, Wilson S, Winsley, Zellinsky - 38.

Engrossed Substitute House 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.

The Speaker declared the House was recessed until 1:30 p.m.

#### AFTERNOON SESSION

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

#### THIRD READING

SUBSTITUTE HOUSE BILL NO. 232, by Committee on Environmental Affairs (originally sponsored by Representatives Ebersole, Brough, Nutley, Smitherman, Allen, Walker, Locke, Haugen, Belcher, Winsley, Wang, Crane, Lux and Unsoeld)

Establishing groundwater management plan procedures and advisory committee.

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

Representatives Ebersole, C. Smith and Unsoeld spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 232, and the bill passed the House by the following vote: Yeas, 92; nays, 4; absent, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 92.

Voting nay: Representatives Bond, Hastings, Isaacson, Sanders - 4.

Absent: Representatives Sayan, Vekich - 2.

Substitute House 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 Mr. J. King, the House reverted to the sixth order of business.

## SECOND READING

HOUSE BILL NO. 512, by Representatives Leonard, Sanders, Cole, Scott, D. Nelson, Smitherman, Crane, Belcher, Lewis, Braddock, Allen, Winsley, Rayburn, K. Wilson, Kremen, Locke, Todd, Isaacson, P. King, Rust, Tanner, Holland, Brough and Fisher

Establishing a bill of rights for children who are victims or witnesses to crime.

The bill was read the second time. On motion of Mr. Armstrong, Substitute House Bill No. 512 was substituted for House Bill No. 512, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 512 was read the second time. On motion of Mr. J. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 512, and the bill passed the House by the following vote: Yeas, 95; absent, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Schmidt, Schoon, Scott, Silver, Smith C, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Absent: Representatives Sayan, Smith L, Vekich - 3.

Substitute House Bill No. 512, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Kremen was excused.

HOUSE BILL NO. 242, by Representatives Locke, Patrick, Sanders, Winsley, Lewis, Fuhrman, Addison, S. Wilson, Miller, Tilly, G. Nelson, R. King, Van Luven, May, Bond, Silver, Taylor, Long, D. Nelson, Isaacson, Unsoeld and Schoon; by Attorney General request

Modifying provisions concerning rights of crime victims, their survivors, and witnesses of crime.

The bill was read the second time. On motion of Mr. Armstrong, Substitute House Bill No. 242 was substituted for House Bill No. 242, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 242 was read the second time.

Mr. Padden moved adoption of the following amendment:

On page 18, line 22 after "facility" insert ", and the dangerousness of the individual"

Mr. Padden spoke in favor of the amendment, and Mr. Smitherman spoke against it.

The amendment was not adopted on a standing vote.

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

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 242, and the bill passed the House by the following vote: Yeas, 94; absent, 3; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Absent: McMullen, Sayan, Vekich - 3.

Excused: Kremen - 1.

Substitute House Bill No. 242, having received the 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. 799, by Representatives Scott, Ballard, K. Wilson, Cole, P. King, Ebersole, Long, Haugen, R. King, Todd and Isaacson

Encouraging school districts to provide community service programs on parenting and the problems of child abuse.

The bill was read the second time. On motion of Ms. Scott, Substitute House Bill No. 799 was substituted for House Bill No. 799, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 799 was read the second time. On motion of Mr. J. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

On motion of Mr. J. King, further consideration of the bill was deferred, and it was ordered placed at the bottom of today's third reading calendar.

HOUSE BILL NO. 805, by Representatives Scott, K. Wilson, Cole, P. King, Ebersole, Long, Haugen, Winsley, Tanner, G. Nelson and Todd

Requiring training in recognizing potential victims of child abuse.

The bill was read the second time. On motion of Ms. Scott, Substitute House Bill No. 805 was substituted for House Bill No. 805, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 805 was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

On motion of Mr. Appelwick, further consideration of the bill was deferred, and it was ordered placed at the bottom of today's third reading calendar.

HOUSE BILL NO. 272, by Representatives Scott, Niemi, Padden, Tilly, Dellwo, Rayburn, Armstrong, Fisch, Tanner, Winsley, Taylor, Van Luven, Silver and Day

Allowing admission of children's statements in criminal and dependency proceedings.

The bill was read the second time. On motion of Mr. Armstrong, Substitute House Bill No. 272 was substituted for House Bill No. 272, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 272 was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

On motion of Mr. Appelwick, further consideration of the bill was deferred, and it was ordered placed at the bottom of today's third reading calendar.

HOUSE BILL NO. 492, by Representatives Lewis, Brekke, Padden, Scott, Dobbs, Thomas, Isaacson, Dellwo, Barnes, Smitherman, Hankins, Day, Walker, Tilly, Allen, Leonard, Hastings, K. Wilson, van Dyke, Braddock, G. Nelson, S. Wilson, B. Williams, Ballard, Winsley, May, Brough, Holland, Silver, Tanner and Long

Establishing certain rights in child abuse and neglect proceedings.

The bill was read the second time. Committee on Social & Health Services recommendation: Majority, do pass as amended. (For amendment, see Journal, 40th Day, February 22, 1985.)

On motion of Ms. Brekke, the committee amendment was adopted.

Ms. Niemi moved adoption of the following amendment:

On page 2, line 15 after "possible" strike all the language through line 34 and insert: "NEW SECTION, Sec. 5. Sections 2 through 4 of this act are each added to chapter 26.44 RC."

Representatives Niemi, Armstrong and West spoke in favor of the amendment, and Representatives Lewis, Locke and Isaacson spoke against it.

The amendment was adopted by a standing count.

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

HOUSE BILL NO. 852, by Representatives Wang, Winsley, Tanner, K. Wilson and Brough

Revising procedures for children's testimony in cases of sexual abuse.

The bill was read the second time. On motion of Ms. Scott, Substitute House Bill No. 852 was substituted for House Bill No. 852, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 852 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 932, by Representatives K. Wilson, Allen, P. King, Armstrong, Miller, Leonard, Lewis, G. Nelson, Tanner, Patrick, Brough, May, Winsley and Todd

Strengthening laws on reporting of child abuse.

The bill was read the second time. On motion of Ms. Scott, Substitute House Bill No. 932 was substituted for House Bill No. 932, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 932 was read the second time.

On motion of Mr. Wang, the following amendment by Representatives Wang and K. Wilson was adopted:

On page 3, line 10 after "shall" insert "make every reasonable effort to"

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

Ms. K. Wilson spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 932, and the bill passed the House by the following vote: Yeas, 95; absent, 2; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J. King P. King R. Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D. Nelson G. Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Schmidt, Schoon, Scott, Silver, Smith C. Smith L. Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Walk, Walker, Wang, West, Williams B. Williams J. Wilson K. Wilson S. Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Absent: Representatives Sayan, Vekich - 2.

Excused: Kremen - 1.

Engrossed Substitute House Bill No. 932, having received the 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. 138, by Representatives Locke, Belcher, Brough, Dellwo, Tilly, Rayburn, Wang, Niemi, Scott, Jacobsen, Holland, Lewis, Winsley, Patrick, Tanner, Lux, Isaacson and Unsoeld

Modifying provisions relating to crime victims' compensation.

The bill was read the second time. Mr. Grimm moved that Second Substitute House Bill No. 138 be substituted for House Bill No. 138 and the second substitute bill be placed on the calendar for second reading.

Mr. Tilly spoke against the motion.

The motion was carried.

Second Substitute House Bill No. 138 was read the second time.

Mr. Braddock moved adoption of the following amendment:  
On page 8, line 28 strike "for the fiscal year beginning" and insert "enacted before"

Representatives Braddock and Tilly spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Braddock yielded to question by Mr. Vander Stoep.

Mr. Vander Stoep: "Representative Braddock, for the purpose of those of us still in doubt and also to establish a legislative record, I wonder if you could explain to the body how this works? If this legislation is passed through both houses, signed by the governor and then put into the RCWs, is it your intent that if that is not part of the biennial budget, it would then go off the books or simply that it wouldn't carry the force of law behind it?"

Mr. Braddock: "I would say that it would not have the force of law. It could not be effective unless it is referred to in the budget."

Mr. Vander Stoep: "Even though the bill would still appear in the RCW books?"

Mr. Braddock: "Yes."

The amendment was adopted.

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

Representative Kremen appeared at the bar of the House.

HOUSE BILL NO. 675, by Representatives Niemi, Barrett, Dellwo, Crane, Lewis, Appelwick, Tilly, Armstrong, Padden, Schmidt, Scott, Wang and Long

Including stepchildren as potential plaintiffs in wrongful death action.

The bill was read the second time. On motion of Mr. J. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Niemi and Padden spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 675, and the bill passed the House by the following vote: Yeas, 96; absent, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J. King P., King R., Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D., Nelson G., Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rusf, Sanders, Schmidt, Schoon, Scott, Silver, Smith C., Smith L., Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander

Stoep, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Absent: Representatives Sayan, Vekich - 2.

House Bill No. 675, having received the 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. 1134, by Representatives West, G. Nelson, Lewis, Isaacson and May

Requiring department of social and health services to screen employees dealing with children and developmentally disabled persons.

The bill was read the second time. On motion of Ms. Brekke, Substitute House Bill No. 1134 was substituted for House Bill No. 1134, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1134 was read the second time. On motion of Mr. J. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1134, and the bill passed the House by the following vote: Yeas, 96; absent, 2.

Voting yeas: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Absent: Representatives Sayan, Vekich - 2.

Substitute House Bill No. 1134, having received the 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. 746, by Representatives Schmidt, Zellinsky, Crane, West, Scott and J. Williams

Revising the requirement to provide health insurance coverage in child support cases.

The bill was read the second time. On motion of Ms. Scott, Substitute House Bill No. 746 was substituted for House Bill No. 746, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 746 was read the second time.

On motion of Ms. Schmidt, the following amendment by Representatives Schmidt and Appelwick was adopted:

On page 1, line 11 after "available" insert "to that parent"

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

Representatives Schmidt and Armstrong spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 746, and the bill passed the House by the following vote: Yeas, 96; absent, 2.

Voting yeas: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher,



Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Absent: Representatives Sayan, Vekich - 2.

Engrossed Substitute House Bill No. 746, having received the 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. 1195, by Representatives Addison, P. King and Holland

Directing state agencies to establish flexible-time work schedules for employees.

The bill was read the second time. On motion of Ms. Belcher, Substitute House Bill No. 1195 was substituted for House Bill No. 1195, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1195 was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1195, and the bill passed the House by the following vote: Yeas, 95; nays, 1; absent, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representative Sanders - 1.

Absent: Representatives Sayan, Vekich - 2.

Substitute House Bill No. 1195, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

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

#### THIRD READING

ENGROSSED HOUSE BILL NO. 340, by Representatives Unsoeld, D. Nelson, Todd and Wang

Authorizing differential electric utility rates to encourage energy conservation measures.

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

Representatives Unsoeld, D. Nelson, Long and Todd spoke in favor of passage of the bill, and Representatives Isaacson, C. Smith and May spoke against it.

Mr. Crane demanded the previous question and the demand was sustained.

Representatives Sayan and Vekich appeared at the bar of the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 340, and the bill passed the House by the following vote: Yeas, 50; nays, 48.

Voting yea: Representatives Allen, Appelwick, Armstrong, Basich, Belcher, Brekke, Bristow, Brough, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Grimm, Haugen, Hine, Holland, Jacobsen, King J, Leonard, Locke, Long, Lux, Madsen, McMullen, Miller, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Van Luven, Vekich, Walk, Wang, Wilson K, Wineberry, and Mr. Speaker - 50.

Voting nay: Representatives Addison, Ballard, Barnes, Barrett, Baugher, Betzoff, Bond, Braddock, Brooks, Chandler, Dobbs, Doty, Fuhrman, Gallagher, Hankins, Hargrove, Hastings, Isaacson, King P, King R, Kremen, Lewis, Lundquist, May, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Taylor, Thomas, Tilly, van Dyke, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley, Zellinsky - 48.

Engrossed House Bill No. 340, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 799, by Committee on Education (originally sponsored by Representatives Scott, Ballard, K. Wilson, Cole, P. King, Ebersole, Long, Haugen, R. King, Todd and Isaacson)

Encouraging school districts to provide community service programs on parenting and the problems of child abuse.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 799, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 799, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 805, by Committee on Education (originally sponsored by Representatives Scott, K. Wilson, Cole, P. King, Ebersole, Long, Haugen, Winsley, Tanner, G. Nelson and Todd)

Requiring training in recognizing potential victims of child abuse.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 805, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 805, having received the 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. 272, by Committee on Judiciary (originally sponsored by Representatives Scott, Niemi, Padden, Tilly, Dellwo, Rayburn, Armstrong, Fisch, Tanner, Winsley, Taylor, Van Luven, Silver and Day)

Allowing admission of children's statements in criminal and dependency proceedings.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 272, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute House 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.

#### MOTION

On motion of Mr. J. King, the House recessed until 6:30 p.m.

#### EVENING SESSION

The House was called to order at 6:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

#### MESSAGE FROM THE SENATE

March 12, 1985

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3047,  
 SUBSTITUTE SENATE BILL NO. 3087,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3154,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3161,  
 SUBSTITUTE SENATE BILL NO. 3162,  
 SUBSTITUTE SENATE BILL NO. 3165,  
 SUBSTITUTE SENATE BILL NO. 3179,  
 SUBSTITUTE SENATE BILL NO. 3201,  
 SUBSTITUTE SENATE BILL NO. 3207,  
 SUBSTITUTE SENATE BILL NO. 3252,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3262,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3266,  
 SUBSTITUTE SENATE BILL NO. 3302,  
 SUBSTITUTE SENATE BILL NO. 3310,  
 SENATE BILL NO. 3312,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3333,  
 SUBSTITUTE SENATE BILL NO. 3388,  
 SENATE BILL NO. 3412,  
 SUBSTITUTE SENATE BILL NO. 3414,  
 SUBSTITUTE SENATE BILL NO. 3442,  
 ENGROSSED SENATE BILL NO. 3494,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3498,  
 ENGROSSED SENATE BILL NO. 3538,

SENATE BILL NO. 3555,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3696,  
 SENATE BILL NO. 3765,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3792,  
 SENATE BILL NO. 3907,  
 SUBSTITUTE SENATE BILL NO. 4041,  
 SENATE BILL NO. 4129,  
 SUBSTITUTE SENATE BILL NO. 4190,  
 SUBSTITUTE SENATE BILL NO. 4229,  
 SUBSTITUTE SENATE BILL NO. 4263,  
 SENATE BILL NO. 4291,  
 SUBSTITUTE SENATE BILL NO. 4294,  
 ENGROSSED SENATE JOINT MEMORIAL NO. 107,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

#### INTRODUCTIONS AND FIRST READING

SSB 3047 by Committee on Governmental Operations (originally sponsored by Senators McDermott and Zimmerman; by Legislative Budget Committee request)

Establishing the western library network.

Referred to Committee on State Government.

SSB 3087 by Committee on Judiciary (originally sponsored by Senators Talmadge, Newhouse, Halsan, Hayner, Williams and Granlund)

Revising provisions relating to disposition of juvenile offenders.

Referred to Committee on Judiciary.

ESSB 3154 by Committee on Judiciary (originally sponsored by Senators Moore, Rasmussen and Vognild)

Creating the crime of vagrancy.

Referred to Committee on Judiciary.

ESSB 3161 by Committee on Commerce & Labor (originally sponsored by Senators McDermott, Warnke, Vognild, Talmadge, Wojahn and Moore)

Prescribing protective measures for purchasers of health studio services.

Referred to Committee on Judiciary.

SSB 3162 by Committee on Commerce & Labor (originally sponsored by Senators McDermott and Warnke)

Defining employer and employee relationships for entertainers for unemployment insurance.

Referred to Committee on Commerce & Labor.

SSB 3165 by Committee on Judiciary (originally sponsored by Senators Bottiger, Thompson, Vognild, Bauer, von Reichbauer and Bailey)

Creating new superior court judicial positions.

Referred to Committee on Judiciary.

SSB 3179 by Committee on Ways & Means (originally sponsored by Senators Halsan and Kreidler)

Enlarging the class of persons entitled to cash out annual leave.

Referred to Committee on State Government.

- SSB 3201 by Committee on Parks & Ecology (originally sponsored by Senators Halsan and Kreidler)  
Classifying PCBs as dangerous waste.  
Referred to Committee on Environmental Affairs.
- SSB 3207 by Committee on Human Services & Corrections (originally sponsored by Senators Granlund, Metcalf, Bottiger, Rasmussen, Johnson, Paterson, Owen, Bender and Bauer)  
Providing for prison work programs.  
Referred to Committee on Social & Health Services.
- SSB 3252 by Committee on Judiciary (originally sponsored by Senators Owen and Warnke)  
Revising procedures for family conciliation courts.  
Referred to Committee on Judiciary.
- ESSB 3262 by Committee on Human Services & Corrections (originally sponsored by Senators Granlund, Kiskaddon and Stratton; by Department of Social and Health Services request)  
Changing provisions relating to nursing home licensing.  
Referred to Committee on Social & Health Services.
- ESSB 3266 by Committee on Ways & Means (originally sponsored by Senators McDermott, Zimmerman, Deccio, Sellar, Moore, Thompson and Warnke; by Governor, Lieutenant Governor, Secretary of State, Treasurer, State Auditor, Attorney General, Superintendent of Public Instruction, Commissioner of Public Lands and Insurance Commissioner request)  
Increasing salaries of certain elected officials.  
Referred to Committee on Ways & Means.
- SSB 3302 by Committee on Judiciary (originally sponsored by Senators Fleming, Zimmerman, Sellar, Bauer, Johnson, McDermott and Gaspard)  
Authorizing employment of chaplains by law enforcement agencies.  
Referred to Committee on Judiciary.
- SSB 3310 by Committee on Judiciary (originally sponsored by Senators Talmadge and Sellar)  
Facilitating election administration.  
Referred to Committee on Constitution, Elections & Ethics.
- SB 3312 by Senators Thompson and Zimmerman  
Including municipal corporations as "public agencies."  
Referred to Committee on Local Government.
- ESSB 3333 by Committee on Commerce & Labor (originally sponsored by Senators Warnke, Vognild, Sellar, Wojahn, Goltz, Bottiger, Fleming, Deccio, Moore, Stratton, Peterson, Lee, Thompson, Hansen, Conner, Barr, Garrett, Owen, Kreidler, Granlund, McManus, Gaspard, Bauer, DeJarnatt, McDermott, Halsan, Guess, Bender and Metcalf)  
Regulating motorcycle dealers' franchises.  
Referred to Committee on Commerce & Labor.

- SSB 3388 by Committee on Judiciary (originally sponsored by Senator Talmadge)  
Revising provisions relating to the attorney general.  
Referred to Committee on Judiciary.
- SB 3412 by Senators Warnke, Zimmerman, Halsan, Rasmussen, McManus, Stratton, Garrett, Gaspard, Bender, Bauer, Wojahn and McDonald  
Facilitating the siting and expansion of business.  
Referred to Committee on Trade & Economic Development.
- SSB 3414 by Committee on Commerce & Labor (originally sponsored by Senators Wojahn, Lee, Halsan, Warnke, McManus, McDonald, Gaspard, Bauer and Rasmussen)  
Enforcing the regulatory fairness act.  
Referred to Committee on Trade & Economic Development.
- SSB 3442 by Committee on Governmental Operations (originally sponsored by Senators Vognild, Zimmerman, Bauer and Conner; by Commission for Vocational Education request)  
Establishing a fire service training revolving fund.  
Referred to Committee on Education.
- ESB 3494 by Senator Gaspard  
Authorizing the conduct of turkey shoots.  
Referred to Committee on Commerce & Labor.
- ESSB 3498 by Committee on Commerce & Labor (originally sponsored by Senators Warnke, Bender, Vognild and Stratton)  
Regulating recreational water contact facilities.  
Referred to Committee on Social & Health Services.
- ESB 3538 by Senators Warnke and Talmadge  
Providing for the nontransferability between school districts of classified employees' seniority.  
Referred to Committee on Education.
- SB 3555 by Senators Moore, Metcalf, Rasmussen and Barr  
Requiring actions to examine the federal reserve system.  
Referred to Committee on Ways & Means.
- ESSB 3696 by Committee on Commerce & Labor (originally sponsored by Senator Warnke)  
Providing public works financing and allocating the private activity bond ceiling.  
Referred to Committee on Trade & Economic Development.
- SB 3765 by Senators Thompson and Zimmerman  
Modifying provisions on municipal utilities.  
Referred to Committee on Energy & Utilities.
- ESSB 3792 by Committee on Financial Institutions (originally sponsored by Senators Moore, Sellar and Wojahn; by Department of General Administration request)  
Modifying provisions relating to banks and banking.  
Referred to Committee on Financial Institutions & Insurance.

SB 3907 by Senators Fleming, Peterson, Bender, Stratton, Barr, Owen, Zimmerman, Conner and Vognild

Creating a forest products market development task force.

Referred to Committee on Trade & Economic Development.

SSB 4041 by Committee on Natural Resources (originally sponsored by Senator Owen)

Revising management of state oyster reserves.

Referred to Committee on Natural Resources.

SB 4129 by Senator McCaslin; by Corrections Standards Board request

Revising certain work-release provisions.

Referred to Committee on Social & Health Services.

SSB 4190 by Committee on Commerce & Labor (originally sponsored by Senators Talmadge, Newhouse, Deccio, Cantu, Warnke and Vognild; by Joint Select Committee on Workers' Compensation request)

Modifying the administrative procedures of the board of industrial insurance appeals board.

Referred to Committee on Commerce & Labor.

SSB 4229 by Committee on Human Services & Corrections (originally sponsored by Senators Granlund, Kiskaddon, Talmadge, Johnson, Stratton, Conner and McManus)

Providing that juveniles not be confined in adult jail or holding facilities.

Referred to Committee on Social & Health Services.

SSB 4263 by Committee on Commerce & Labor (originally sponsored by Senators Warnke, Sellar, Vognild, Hansen, Zimmerman, Moore, Bottiger, McDermott, Lee, Patterson, Guess, Halsan and Johnson)

Providing for the enforcement of the wholesale distributor/supplier equity agreement act.

Referred to Committee on Commerce & Labor.

SB 4291 by Senators Lee and Zimmerman

Authorizing a plan to promote small businesses in certain areas of the state.

Referred to Committee on Trade & Economic Development.

SSB 4294 by Committee on Commerce & Labor (originally sponsored by Senators Lee and Benitz)

Authorizing the establishment of a maximum three-month penalty-free period for employers paying industrial insurance premiums.

Referred to Committee on Commerce & Labor.

ESJM 107 by Senators Talmadge, Kreidler, Williams, Hansen and Lee

Requesting congressional funding for cleanup of hazardous waste sites.

Referred to Committee on Environmental Affairs.

#### MOTION

On motion of Mr. J. King, the bills and the memorial listed on today's fourth reading calendar were considered first reading and referred to the committees designated.

#### REPORT OF STANDING COMMITTEE

March 13, 1985

HB 631 Prime Sponsor, Representative Fisch: Authorizing absentee ballots for voters registering late. Reported by Committee on Rules

Referred to Committee on Ways & Means with proposed substitute.

#### NOTICE OF RECONSIDERATION

Mr. Holland, having voted on the prevailing side, served notice that he would, on the next working day, move for reconsideration of the vote by which Engrossed House Bill No. 340 passed the House.

The Speaker (Mr. O'Brien presiding): "The bill in question has already been transmitted to the Senate."

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.  
The Speaker called the House to order.

With the consent of the House, Mr. Holland withdrew the notice of reconsideration on Engrossed House Bill No. 340.

#### MOTION FOR RECONSIDERATION

Mr. Holland, having voted on the prevailing side, moved that the rules be suspended and the House immediately reconsider the vote by which Engrossed House Bill No. 340 was passed.

Mr. D. Nelson spoke against the motion, and Mr. Isaacson spoke in favor of it.

Mr. D. Nelson again opposed the motion.

#### ROLL CALL

The Clerk called the roll on the motion that the House immediately reconsider the vote by which Engrossed House Bill No. 340 passed the House, and the motion was carried by the following vote: Yeas, 52; nays, 46.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Baugher, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Gallagher, Hankins, Hargrove, Hastings, Holland, Isaacson, King P, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson D, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley, Zellinsky - 52.

Voting nay: Representatives Appelwick, Armstrong, Basich, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Grimm, Haugen, Hine, Jacobsen, King J, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, and Mr. Speaker - 46.

The Speaker stated the question before the House to be the reconsideration of final passage of Engrossed House Bill No. 340.

Mr. Isaacson spoke against passage of the bill.

#### ROLL CALL

The Clerk called the roll on reconsideration of final passage of Engrossed House Bill No. 340, and the bill failed to pass the House by the following vote: Yeas, 42; nays, 56.

Voting yea: Representatives Appelwick, Armstrong, Basich, Belcher, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Grimm, Haugen, Hine, Jacobsen, King J, Locke, Long, Lux, Madsen, Niemi, O'Brien, Patrick, Peery, Rayburn, Rust, Sayan, Scott, Silver, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Walk, Wang, Wilson K, Wineberry, and Mr. Speaker - 42.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Baugher, Betzoff, Bond, Braddock, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Gallagher, Hankins, Hargrove, Hastings, Holland, Isaacson, King P, King R, Kremen, Leonard, Lewis, Lundquist, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Nutley, Padden, Prince, Sanders, Schmidt, Schoon, Smith C, Smith L, Smitherman, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Vekich, Walker, West, Williams B, Williams J, Wilson S, Winsley, Zellinsky - 56.

Engrossed House Bill No. 340, having failed to receive the constitutional majority, was declared lost.

#### NOTICE OF RECONSIDERATION

Having voted on the prevailing side, Mr. D. Nelson served notice that he would, on the next working day, move for reconsideration of the vote by which Engrossed House Bill No. 340 failed to pass the House.



## SECOND READING

HOUSE BILL NO. 856, by Representatives B. Williams, Schoon and Bond

Modifying provisions on the termination and repeal of agencies and programs.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 52nd Day, March 6, 1985.)

On motion of Ms. Belcher, the committee amendments were adopted.

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

Mr. B. Williams spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 856, and the bill passed the House by the following vote: Yeas, 96; nays, 2.

Voting yeas: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristol, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J. King P. King R. Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, Miller, Nealey, Nelson D. Nelson G. Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C. Smith L. Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K. Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Voting nays: Representatives Fisch, McMullen - 2.

Engrossed House Bill No. 856, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## STATEMENT FOR THE JOURNAL

Today I attempted to vote "Yes" on Engrossed House Bill No. 856, but my voting machine malfunctioned. Please register my correct vote in the House Journal.

PATRICK McMULLEN, 40th District.

HOUSE BILL NO. 930, by Representatives Leonard, Brekke, Locke, Wineberry, Winsley, D. Nelson, Lewis, Lux, Brooks, Ebersole, Cole, Allen, Braddock, Armstrong, K. Wilson, Niemi, Valle, Miller, Addison, Scott, R. King, Isaacson and Wang

Establishing a pilot project to provide social and health services to urban "street kids."

The bill was read the second time. On motion of Mr. Braddock, Second Substitute House Bill No. 930 was substituted for House Bill No. 930, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 930 was read the second time.

Mr. Braddock moved adoption of the following amendments by Representatives Braddock, Vander Stoep and Leonard:

On page 1, line 4 after "Sec. 1," strike "(1) There" and all language down to and including "act," on page 1, line 28 and insert "The legislature finds there are numerous programs at the state and local levels which address the needs of children. The legislature further finds that a growing number of children, commonly known as 'street kids,' receive neither direct parental supervision and care nor services from the Department of Social and Health Services. The legislature further finds there is a need to address this population through a comprehensive review of services provided at the state and local levels.

The legislature deems it appropriate to implement an experimental, one-year service delivery system for 'street kids' while a comprehensive review of existing services is being conducted. The experimental program for 'street kids' may provide counseling, food, emergency shelter information and referral, medical care, outreach services and other services as necessary to promote the transition of these children to a supervised, safe and stable living environment.

The experimental program for 'street kids' shall be judged effective if it is shown that the program measurably diverts children living in unsupervised and dangerous urban environments from those environments and reduces inappropriate use of crisis residential or receiving home services.

NEW SECTION. Sec. 2. DEFINITIONS. Unless the context clearly indicates otherwise, words used in this chapter have the following meaning:

(1) 'Street kid' means a child under the age of eighteen who is not receiving care, shelter, or supervision from a parent, responsible relative, or other responsible adult; who is not receiving a residential care from the department of social and health services or a local service agency; and who is living in a dangerous urban environment.

(2) 'Multi-service center' means a facility providing a variety of services including food, emergency shelter, counseling and referral, outreach, educational, employment or other services, and which provides at least fifty percent of its services exclusively to children and youth meeting the definition of 'street kids' in subsection (1) of this section.

(3) 'At-risk-child' means a child under the age of eighteen who has lived in a dangerous urban environment for at least one week and meets the definition found in subsection (1) of this section.

(4) 'Department' means the department of social and health services.

NEW SECTION. Sec. 3. The department shall establish an experimental program of services to 'street kids' to include some or all of the following services:

(1) Street outreach, advocacy and counseling to 'street kids';

(2) Short or long-term foster care;

(3) Intervention, advocacy and counseling to children or youth at risk of becoming 'street kids';

(4) Multi-service centers as defined in section 2(2) of this chapter.

The multi-service centers may only provide services to 'street kids' between the ages of eight and seventeen. For purposes of this act, at any one time, the number of 'street kids' receiving services from any one center shall not exceed one hundred and fifty.

NEW SECTION. Sec. 4. The department shall adopt rules as necessary to implement this chapter no later than September 1, 1985, and shall contract with public or private nonprofit agencies for services under this chapter no later than November 1, 1985.

NEW SECTION. Sec. 5. The department shall report to the human services and ways and means committees of the senate and house of representatives on the effects of the experimental 'street kids' program no later than January 1, 1987. The report shall include at least the following information:

(1) A description of the types of services provided and the number of children served by each type of service.

(2) An analysis of the effects of each service in diverting children into appropriate educational programs.

(3) An analysis of the extent to which this program reduces the inappropriate use of crisis residential centers and receiving homes."

Renumber the remaining sections consecutively.

On page 2, line 3 after "act" strike "for the fiscal year beginning" and insert "enacted before"

Representatives Braddock, Vander Stoep and Leonard spoke in favor of passage of the amendments, and they were adopted.

The Clerk read the following amendment by Representative Braddock:

On page 2, line 3 strike "for the fiscal year beginning" and insert "enacted before"

With the consent of the House, Mr. Braddock withdrew the amendment.

Second Substitute House Bill No. 930 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 116, by Representatives Belcher, Niemi, Unsoeld, Vekich, Walk, Peery, Kremen, McMullen, Fisch and Rayburn

Requiring that seniority determine salary increases, layoffs, and rehiring of state employees; that ratio of management and direct service employees be maintained; and providing mobility between personnel systems.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 47th Day, March 1, 1985.)

On motion of Ms. Belcher, the committee amendments were adopted.

Ms. Silver moved adoption of the following amendments by Representatives Silver and Hankins:

On page 2, line 4, after "(6)" strike everything down to and including "41.06.130." on line 29 and insert "Management employees" means those employees:

(a) Who are classified employees under this chapter (~~and~~) or who are exempt employees under this chapter and have their salary and fringe benefits determined under RCW 41.06.070; and

(b) Who are specified as management by the state personnel board; but the board shall not go below range 49, as established in the October 1981 state personnel board compensation plan, or its equivalent range in a subsequent compensation plan publication.

(7) 'Noncompetitive service' means all positions in the classified service for which a competitive examination is not required.

(8) 'Department' means an agency of government that has as its governing officer a person, or combination of persons such as a commission, board, or council, by law empowered to operate the agency responsible either to (a) no other public officer or (b) the governor.

(9) 'Career development' means the progressive development of employee capabilities to facilitate productivity, job satisfaction, and upward mobility through work assignments as well as education and training that are both state-sponsored and are achieved by individual employee efforts, all of which shall be consistent with the needs and obligations of the state and its agencies.

(10) 'Training' means activities designed to develop job-related knowledge and skills of employees.

(11) 'Director' means the director of personnel appointed under the provisions of RCW 41.06.130."

On page 5, line 9 after "increases" insert "for nonmanagement employees"

On page 5, line 10 after "all" insert "such"

On page 5, line 12 strike "in the classified service"

On page 5, after line 12 insert the following:

"(19) Increment or merit increases for management employees within the series of steps for each pay grade."

Renumber remaining subsections consecutively.

On page 6, line 22 after "appraisal of" insert "nonmanagement"

On page 6, line 30 after "1984:)" strike everything down to and including "salaries." on line

33

On page 6, after line 33, insert the following:

"Sec. 4. Section 6, chapter 53, Laws of 1982 1st ex. sess. and RCW 41.06.175 are each amended to read as follows:

(1) After consultation with state agency heads, employee organizations, and other interested parties, the state personnel director shall develop employee performance evaluation standards, procedures, and forms which shall be used by state agencies for the appraisal of management employee job performance at least annually. The performance evaluation procedures shall include means whereby individual agencies may develop special performance factors peculiar to the organizational needs of particular employing agencies. Performance evaluation standards shall not include detailed work expectations, which shall be developed by the employing agency.

(2) The standardized performance evaluation shall measure management employee performance within at least five performance rating categories as established by the board. ~~((Such evaluation shall be given to classified employees and those exempt employees whose salary and fringe benefits are determined by the board pursuant to RCW 41.06.070.))~~

(3) The board shall adopt rules designed to insure that performance evaluations of management employees do not result in unrealistic concentration in any performance rating category.

(4) ~~((This section shall apply to:~~

~~(a) Management employees beginning July 1, 1984; and~~

~~(b) All other employees beginning July 1, 1985.~~

~~((5)) A classified management employee may appeal his or her performance evaluation under RCW 41.06.170(2) only to the extent the evaluation violates this chapter or rules promulgated under this chapter (or if the performance rating category received in the performance evaluation would result in a withdrawal of the increment increase previously received other than the increment increase received under RCW 41.06.185(3)).~~

Sec. 5. Section 9, chapter 53, Laws of 1982 1st ex. sess. and RCW 41.06.195 are each amended to read as follows:

~~((Beginning on July 1, 1984.))~~ Management employees of an agency shall be subject to performance evaluation using the procedures developed under RCW 41.06.175. Such management employees may only be granted increment and merit increases in salary, based on performance, under the rules promulgated by the board."

Renumber remaining sections consecutively and correct any internal references accordingly.

On page 8, after line 31, insert the following:

"Sec. 9. Section 13, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.10.645 are each amended to read as follows:

~~((Beginning on July 1, 1984:))~~ Management employees shall be subject to performance evaluation using the procedures developed under RCW 28B.10.644. Such employees may be granted merit increases in salary, based on performance, as determined by each institution for its employees."

Renumber sections consecutively and correct internal references accordingly.

On page 8, line 34, after "follows:" strike the remainder of the section and insert the following:

"Unless the context clearly indicates otherwise, the words used in this chapter have the meaning given in this section.

(1) 'Institutions of higher education' are the University of Washington, Washington State University, Central Washington University, Eastern Washington University, Western Washington University, The Evergreen State College, and the various state community colleges;

(2) 'Board' means the higher education personnel board established under the provisions of RCW 28B.16.060;

(3) 'Related boards' means the state board for community college education and the higher education personnel board; and such other boards, councils and commissions related to higher education as may be established;

(4) 'Classified service' means all positions at the institutions of higher education subject to the provisions of this chapter;

(5) 'Comparable worth' means the provision of similar salaries for positions that require or impose similar responsibilities, judgments, knowledge, skills, and working conditions;

(6) 'Competitive service' means all positions in the classified service for which a competitive examination is required as a condition precedent to appointment;

(7) 'Noncompetitive service' means all positions in the classified service for which a competitive examination is not required;

(8) 'Management employees' mean those classified employees under this chapter specified as management by the higher education personnel board, but the board shall not go below range 49, as established in the October 1981 higher education personnel board compensation plan, or its equivalent range in a subsequent compensation plan publication;

(9) 'Nonmanagement employees' means those classified employees under this chapter who are not specified as management employees under subsection (8) of this section."

On page 12, line 16, after "increases" insert "for classified nonmanagement employees"

On page 12, after line 19 insert the following:

"(19) Increment or merit increases for classified management employees within a series of steps for each pay grade;"

Renumber remaining subsections consecutively.

On page 13, line 35 after "appraisal of" insert "classified nonmanagement"

On page 14, after line 7 insert the following:

"Sec. 12. Section 18, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.16.250 are each amended to read as follows:

(1) After consultation with institution heads, employee organizations, and other interested parties, the personnel director shall develop employee performance evaluation standards, procedures, and forms which shall be used by institutions of higher education for the appraisal of classified management employee job performance at least annually. The performance evaluation procedures shall include means whereby individual institutions and related boards may develop special performance factors peculiar to the organizational needs of particular employing institutions. Performance evaluation standards shall not include detailed work expectations, which shall be developed by the employing institution.

(2) The standardized performance evaluation shall measure classified management employee performance within at least five performance rating categories as established by the board.

(3) The board shall adopt rules designed to insure that performance evaluations of classified management employees do not result in unrealistic concentration in any performance rating category.

(4) ~~((This section shall apply to:~~

~~(a) Management employees beginning July 1, 1984; and~~

~~(b) All other employees beginning July 1, 1985.~~

~~(5)) A classified management employee may appeal his or her performance evaluation within thirty days to the board only to the extent the evaluation violates this chapter or rules adopted under this chapter~~((or if the performance rating category received in the performance evaluation would result in a withdrawal of the increment increase previously received other than the increment increase received under RCW 28B.16.260(3))).~~~~

Sec. 13. Section 22, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.16.270 are each amended to read as follows:

~~((Beginning on July 1, 1984:))~~ Classified management employees shall be subject to performance evaluation using the procedures developed under RCW 28B.16.250. Such classified

management employees may only be granted increment and merit increases in salary, based on performance, under the rules promulgated by the board."

Renumber remaining sections consecutively and correct internal references accordingly.

On page 15, line 10 after "Sec. 16." strike the remainder of the section and insert "Section 26, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.50.840 are each amended to read as follows:

~~((Beginning on July 1, 1984.))~~ Management employees shall be subject to performance evaluation using the procedures developed under RCW 28B.50.830. Such employees may be granted merit increases in salary, based on performance, as determined by each community college and the college board for their respective employees."

On page 16, after line 19 insert the following:

"Sec. 17, Section 29, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.80.270 are each amended to read as follows:

~~((Beginning on July 1, 1984.))~~ Management employees of the council shall be subject to performance evaluation using the procedures developed under RCW 28B.80.260. Such employees may be granted merit increases in salary based on performance as determined by the council for its employees."

Renumber remaining sections consecutively and correct internal references accordingly.

On page 16, after line 32, strike all the material down to and including "28B.16.250;" on page 17, line 5

Renumber the remaining subsections consecutively.

On page 17, beginning on line 8, strike all material down to and including "28B.16.270;" on line 9

Renumber the remaining subsections consecutively.

On page 17, beginning on line 14, strike all material down to and including "41.06.175;" on line 25

Renumber the remaining subsections consecutively.

On page 17, beginning on line 28, strike all material down to and including "41.06.195;" on line 29

Renumber the remaining subsections consecutively.

Ms. Silver spoke in favor of the amendments, and Ms. Belcher spoke against them.

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

Mr. B. Williams spoke in favor of the amendments.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives Silver and Hankins to House Bill No. 116, and the amendments were not adopted by the following vote: Yeas, 45; nays, 53.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G. Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S - 45.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nulley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 53.

The Clerk read the following amendments by Representative Hankins:

On page 3, line 4, after "promotions" strike "~~((and reemployment from layoff))~~" and insert "and, for classified management employees, reemployment from layoff"

On page 3, line 18, after "reemployment" strike ", both according to" and insert ", For classified nonmanagement employees, both layoffs and reemployment shall be based upon"

On page 6, after line 33, insert the following:

"Sec. 4, Section 7, chapter 53, Laws of 1982 1st ex. sess. and RCW 41.06.205 are each amended to read as follows:

(1) The board shall develop rules ~~((by January 1, 1984.))~~ which will assure that whenever an agency makes a layoff of classified management employees after June 30, 1985, ~~((or other classified employees after June 30, 1986.))~~ the decision on which employees to lay off shall be based on performance and seniority.

(2) (~~From July 10, 1982;~~) Until the provisions of subsection (1) of this section are implemented, the decision on which classified management employees to lay off shall be based on seniority. However, where seniority is equal, performance shall be used as the determining factor.

Sec. 5. Section 10, chapter 53, Laws of 1982 1st ex. sess. and RCW 41.06.215 are each amended to read as follows:

Whenever ~~((an))~~ a classified management employee has been laid off, the employee's rights in respect to reemployment from layoff shall be based on seniority and subject to RCW 41.06.150(2). Certification from the layoff lists may be augmented by names from other lists if necessary to complete the certification."

Renumber remaining sections consecutively and correct any internal references accordingly.

On page 10, line 3, strike "~~((and reemployment from layoff))~~" and insert "and, for classified management employees, reemployment from layoff"

On page 10, line 14, after "reemployment" strike ", both according to" and insert ". For classified nonmanagement employees, layoffs and reemployment shall be based upon"

On page 14, after line 7, insert the following:

"Sec. 12. Section 20, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.16.280 are each amended to read as follows:

(1) The board shall develop rules (~~(by January 1, 1984;~~) which will assure that whenever an institution of higher education makes a layoff of classified management employees after June 30, 1985, (~~(or other classified employees after June 30, 1986;~~) the decision on which employees to lay off shall be based on performance and seniority.

(2) (~~From July 10, 1982;~~) Until the provisions of subsection (1) of this section are implemented, the decision on which classified management employees to lay off shall be based on seniority. However, where seniority is equal, performance shall be used as the determining factor.

Sec. 13. Section 23, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.16.290 are each amended to read as follows:

Whenever ~~((an))~~ a classified management employee has been laid off, the employee's rights, in respect to reemployment from layoff shall be based on seniority and subject to RCW 28B.16.100(2). Certification from the layoff lists may be augmented by names from other lists if necessary to complete the certification."

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

On page 17, beginning on line 10, strike all the material down to and including "28B.16-.290;" on line 13

Renumber the remaining subsections consecutively.

On page 17, line 27, after "41.06.185;" insert "and"

On page 17, beginning on line 29, after "41.06.195" strike all the material down to and including "41.06.215" on line 33

With the consent of the House, Ms. Hankins withdrew the amendments.

Mr. Braddock moved adoption of the following amendments by Representatives Braddock and Sommers:

On page 7, beginning on line 17 strike everything down to and including "year." on line 34

Renumber the remaining sections consecutively.

On page 14, beginning on line 26 strike everything down to and including "year." on page 15, line 9.

Renumber the remaining sections consecutively.

Representatives Braddock, Belcher, Vander Stoep and Sanders spoke in favor of the amendments, and Representatives Lewis and B. Williams spoke against them.

A division was called.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives Braddock and Sommers to House Bill No. 116, and the amendments were adopted by the following vote: Yeas, 62; nays, 36.

Voting yea: Representatives Allen, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Brough, Cole, Crane, Day, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Holland, King J, King P, King R, Kremen, Leonard, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sanders, Sayan, Schoon, Scott, Silver, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vander Stoep, Vekich, Wang, West, Wineberry, Winsley, Zelinisky, and Mr. Speaker - 62.

Voting nay: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Brooks, Chandler, Dellwo, Dobbs, Fuhrman, Hankins, Hastings, Isaacson, Jacobsen, Lewis, Lundquist, Nealey, Nelson G, Padden, Patrick, Prince, Schmidt, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Walk, Walker, Williams B, Williams J, Wilson K, Wilson S - 36.

Ms. Hankins moved adoption of the following amendments:

On page 3, beginning on line 1 strike all material down to and including "prevails," on line 31.

Renumber the remaining sections consecutively and correct internal references accordingly.

On page 18, beginning on line 2 strike all material down to and including "necessary," on line 6.

Ms. Hankins spoke in favor of the amendments, and Ms. Belcher spoke against them.

The amendments were not adopted.

Mr. G. Nelson moved adoption of the following amendments:

On page 1, beginning on line 10 strike all of section 1 and renumber the remaining sections consecutively.

On page 8, beginning on line 32 strike all of section 9 and renumber the remaining sections consecutively.

On page 15, beginning on line 10 strike all of section 16 and renumber the remaining sections consecutively.

On page 17, beginning on line 2 strike all of subsection (3) and renumber the remaining subsections consecutively.

On page 17, beginning on line 18 strike all of subsection (11) and renumber the remaining subsections consecutively.

Representatives G. Nelson and B. Williams spoke in favor of the amendments, and Representatives Belcher and Sayan spoke against them.

Mr. B. Williams spoke again in favor of the amendments.

A division was called.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative G. Nelson to House Bill No. 116, and the amendments were not adopted by the following vote: Yeas, 43; nays, 55.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S - 43.

Voting nay: Representatives Allen, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 55.

Mr. B. Williams moved adoption of the following amendments:

On page 3, line 4 strike "~~((and reemployment from layoff))~~" and insert "and reemployment from layoff"

On page 3, line 18 after "reemployment" strike ", both according to seniority"

On page 10, line 3 strike "~~((and reemployment from layoff))~~" and insert "and reemployment from layoff"

On page 10, line 14 after "reemployment" strike ", both according to seniority"

On page 17, beginning on line 10 strike everything down to and including "28B.16.290;" on line 13

Renumber the remaining subsections consecutively.

On page 17, line 27 after "41.06.185;" insert "and" and on line 29 after "41.06.195" strike the semicolon and insert a period.

Mr. B. Williams spoke in favor of the amendments, and Ms. Belcher opposed them.

## ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative B. Williams to House Bill No. 116, and the amendments were not adopted by the following vote: Yeas, 44; nays, 54.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Sloep, Walker, West, Williams B, Williams J, Wilson S - 44.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 54.

Mr. B. Williams moved adoption of the following amendments:

On page 5, line 9 strike "~~(or merit)~~" and insert "or merit" and on line 10 after "grade" strike everything down to and including "service" on line 12

On page 12, line 16 strike "~~(or merit)~~" and insert "or merit" and on line 17 after "grade" strike everything down to and including "service" on line 19

On page 16, beginning on line 35 strike everything down to and including "28B.10.645;" on page 17, line 1.

Renumber the remaining subsections consecutively.

On page 17, beginning on line 6 strike everything down to and including "28B.16.270;" on line 9

Renumber the remaining subsections consecutively.

On page 17, beginning on line 16 strike everything down to and including "28B.50.840;" on line 17

Renumber the remaining subsections consecutively.

On page 17, beginning on line 22 strike everything down to and including "28B.80.270;" on line 23

Renumber the remaining subsections consecutively.

On page 17, beginning on line 26 strike everything down to and including "41.06.195;" on line 29

Renumber the remaining subsections consecutively.

Mr. B. Williams spoke in favor of the amendments, and Ms. Belcher spoke against them.

## ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative B. Williams to House Bill No. 116, and the amendments were not adopted by the following vote: Yeas, 44; nays, 54.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Sloep, Walker, West, Williams B, Williams J, Wilson S - 44.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 54.

## POINT OF ORDER

Mr. Barrett: "Mr. Speaker, I would call your attention to the fact that it is now past 10 o'clock and we are in violation of our own rules."

The Speaker: "Your point is well taken."

## MOTION

On motion of Mr. Appelwick, Rule 14(D) was suspended.

Mr. B. Williams moved adoption of the following amendments:

On page 6, beginning on line 15 strike all of section 3 and renumber the remaining sections consecutively.



On page 13, beginning on line 28 strike all of section 11 and renumber the remaining sections consecutively.

On page 16, beginning on line 33 strike all of subsection (1) and renumber the remaining subsections consecutively.

On page 17, beginning on line 4 strike all of subsection (4) and renumber the remaining subsections consecutively.

On page 17, beginning on line 14 strike all of subsection (9) and renumber the remaining subsections consecutively.

On page 17, beginning on line 20 strike all of subsection (12) and renumber the remaining subsections consecutively.

On page 17, beginning on line 24 strike all of subsection (14) and renumber the remaining subsections consecutively.

Mr. B. Williams spoke in favor of the amendments, and Ms. Belcher spoke against them.

The amendments were not adopted.

Mr. Tilly moved adoption of the following amendment:

On page 18, beginning on line 2 after "Sec. 20." strike all material down to and including "necessary." on line 6 and insert the following: "If specific funding for the purposes of this act, referencing this act by bill number, is not provided in the omnibus appropriations act enacted before July 1, 1985, this act shall be null and void."

Mr. Tilly spoke in favor of the amendment, and Ms. Belcher spoke against it.

Mr. Tilly spoke again in favor of the amendment.

A division was called.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Tilly to House Bill No. 116, and the amendment was not adopted by the following vote: Yeas, 41; nays, 56; absent, 1.

Voting yea: Representatives Ballard, Barnes, Barrett, Betrozoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Long, Lundquist, May, Miller, Nealey, Nelson G. Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S - 41.

Voting nay: Representatives Addison, Allen, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 56.

Absent: Representative Lewis - 1.

House Bill No. 116 was ordered engrossed and passed to Committee on Rules for third reading.

#### MOTIONS

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

On motion of Mr. J. King, SENATE BILL NO. 3570 was rereferred from Committee on Education to Committee on Higher Education.

On motion of Mr. J. King, SENATE BILL NO. 3596 was rereferred from Committee on Social & Health Services to Committee on Judiciary.

#### MOTION

On motion of Mr. J. King, the House adjourned until 9:30 a.m., Thursday, March 14, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk

## SIXTIETH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Thursday, March 14, 1985.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Barrett, Gallagher and Isaacson, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Lori Ngo and Mark Kohler. Prayer was offered by Father Gary Morelli, St. Edward's Catholic Church of Seattle.

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

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

## THIRD READING

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 138, (originally sponsored by Representatives Locke, Belcher, Brough, Dellwo, Tilly, Rayburn, Wang, Niemi, Scott, Jacobsen, Holland, Lewis, Winsley, Patrick, Tanner, Lux, Isaacson and Unsoeld)

Modifying provisions relating to crime victims' compensation.

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

Representatives Locke and Tilly spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 138, and the bill passed the House by the following vote: Yeas, 92; absent, 3; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 92.

Absent: Representatives King R, Lux, Todd - 3.

Excused: Representatives Barrett, Gallagher, Isaacson - 3.

Engrossed Second Substitute House 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.

Representative Isaacson appeared at the bar of the House.

## STATEMENT FOR THE JOURNAL

Please let the record show that I voted "Aye" on E2SHB 138. I missed the roll call due to a doctor appointment for an ear infection.

RAY ISAACSON, 8th District.

SUBSTITUTE HOUSE BILL NO. 170, by Committee on Higher Education (originally sponsored by Representatives Vander Stoep, Grimm, Sommers, G. Nelson, Betrozoff, Braddock, Isaacson, Hastings, Walker, Fuhrman and Brough)

Establishing admission standards for the institutions of higher education.

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

Representatives Vander Stoep, Allen, Sommers, Betrozoff, Braddock and Valle spoke in favor of passage of the bill, and Representatives Jacobsen, Silver, Cole, Tanner, Taylor, Wineberry, Locke and K. Wilson spoke against it.

Mr. Crane demanded the previous question and the demand was not sustained.

Representatives G. Nelson, Schoon and Walker spoke in favor of the bill, and Representative D. Nelson spoke against it.

Mr. Taylor again opposed the bill, and Mr. Vander Stoep closed debate, speaking again in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 170, and the bill passed the House by the following vote: Yeas, 55; nays, 41; excused, 2.

Voting yea: Representatives Addison, Allen, Armstrong, Ballard, Barnes, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Crane, Dobbs, Doty, Ebersole, Fuhrman, Grimm, Hankins, Hastings, Hine, Holland, Isaacson, King J, Long, Lundquist, Madsen, May, Miller, Nealey, Nelson G, Nutley, Patrick, Peery, Sanders, Schmidt, Schoon, Smith L, Smitherman, Sommers, Sutherland, Thomas, Tilly, Valle, van Dyke, Van Luven, Vander Stoep, Walk, Walker, Williams B, Williams J, Winsley, Zellinsky, and Mr. Speaker - 55.

Voting nay: Representatives Appelwick, Basich, Baugher, Belcher, Cole, Day, Dellwo, Fisch, Fisher, Hargrove, Haugen, Jacobsen, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, McMullen, Nelson D, Niemi, O'Brien, Padden, Prince, Rayburn, Rust, Sayan, Scott, Silver, Smith C, Tanner, Taylor, Todd, Unsoeld, Vekich, Wang, West, Wilson K, Wilson S, Wineberry - 41.

Excused: Representatives Barrett, Gallagher - 2.

Substitute House Bill No. 170, having received the 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 ORDER

Mr. Padden: "We've been in the session here for a little over sixty days, and I've noticed, Mr. Speaker, there does not seem to be a compliance with Reed's Rule 212 on how members should address the presiding officer. I know in the past you have given admonitions on that. I think it would be proper to go over Reed's Rule 212 at this point which indicates that a member should not allude to any member by name, but by some descriptive expression like 'the lady from a certain district' or 'the gentleman from a certain district.' I think it would add to the quality of debate."

#### SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Your point is well taken. As a matter of fact, we should refrain from mentioning the legislator's name. We are supposed to refer to the 'gentleman or lady from a particular district.' We should avoid entering into the personality or name of the individual."

ENGROSSED HOUSE BILL NO. 492, by Representatives Lewis, Brekke, Padden, Scott, Dobbs, Thomas, Isaacson, Dellwo, Barnes, Smitherman, Hankins, Day, Walker, Tilly, Allen, Leonard, Hastings, K. Wilson, van Dyke, Braddock, G. Nelson, S. Wilson, B. Williams, Ballard, Winsley, May, Brough, Holland, Silver, Tanner and Long

Establishing certain rights in child abuse and neglect proceedings.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 492, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders,

Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Barrett, Gallagher - 2.

Engrossed House Bill No. 492, having received the 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. 495, by Committee on Judiciary (originally sponsored by Representatives Dellwo, Armstrong, Lewis, Scott, Tilly, Locke, Niemi, Lux, Hargrove and Belcher

Authorizing retrocession of jurisdiction over certain Indian land.

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

Representatives Dellwo and Fuhrman spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 495, and the bill passed the House by the following vote: Yeas, 87; nays, 9; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Basich, Baugher, Belcher, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Fuhrman, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lux, Madsen, May, McMullen, Nealey, Nelson D, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 87.

Voting nay: Representatives Ballard, Betrozoff, Dobbs, Lundquist, Miller, Nelson G, Schmidt, van Dyke, Wilson S - 9.

Excused: Representatives Barrett, Gallagher - 2.

Engrossed 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. 542, by Representatives Day, Padden, Fisher, Dellwo, Barrett, P. King, Silver, Sanders and Scott

Permitting voter registration officers to require proof of age from applicants.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 542, and the bill passed the House by the following vote: Yeas, 95; nays, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representative Kremen - 1.

Excused: Representatives Barrett, Gallagher - 2.

Engrossed House Bill No. 542, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

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

## RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 85-32, by Representatives J. Williams and May

WHEREAS, The Mercer Island High School Basketball Team is the first high school basketball team in history to make the Washington State AAA Boys Basketball Tournament final playoff game in four out of five straight years; and

WHEREAS, The Mercer Island High School Basketball Team was rated the number one high school basketball team in the United States during 1984; and

WHEREAS, The Mercer Island High School Basketball Team star guard, Quin Snyder, has been named a McDonald's High School Basketball All American, one of only twenty-five All Americans nationwide; and

WHEREAS, The Mercer Island High School Basketball Team star center, Brian Schwabe, has been named a McDonald's High School Basketball Honorable Mention All American; and

WHEREAS, The Mercer Island High School Basketball Team finished the season undefeated in Washington State and was winner of the High School AAA Boys' State Basketball Tournament Championship;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Mercer Island High School Basketball Team and its coaching staff be commended on their superior accomplishment; and

BE IT FURTHER RESOLVED, That copies of this Resolution be transmitted by the Chief Clerk of the House of Representatives to the Mercer Island High School Basketball Teams's Head Coach Ed Pepple; and team members Eric Brady, Russell Easter, John Gilliland, Doug Marriott, Mike Mathers, Omar Parker, Paul Roberts, Brian Schwabe, Quin Snyder, Jeff Thompson, Scott Weller and Jeff Wood.

Mr. J. Williams moved adoption of the resolution. Representatives J. Williams and May spoke in favor of the resolution, and it was adopted.

HOUSE FLOOR RESOLUTION NO. 85-30, by Representatives L. Smith, Tanner and B. Williams

WHEREAS, The boys' wrestling team from Castle Rock High School has recently won the State High School Class A Championship; and

WHEREAS, Through dedication, determination and plain hard work the team remained number one for the second consecutive year; and

WHEREAS, This is the first time in history that a western Washington team has won the championship for two consecutive years; and

WHEREAS, Joe Dodinho, John Dodinho, Tracy Horton, Johnny King, Todd McDonald, Dave Miller, Jim Nelson, Eric Phillips, Todd Risner, Ken Scott, Mike Seidl, Randy Silva, Darold Sims and Eddie Smith are members of the Castle Rock High School "Rockets" team who wrestled during the 1984-85 wrestling season; and

WHEREAS, The Castle Rock High School "Rockets" are superbly coached by Head Coaches Jim Bair and Wayne Hewett and Assistant Coach Jay Terry; and

WHEREAS, Vanessa Brenner, Lisa Comstock, Darcey Cross-Schroeder, Marnie Graham, Angela Hubbard and Tammy Vickaryous were the Castle Rock High School cheerleaders who cheered and supported their team through their successful season; and

WHEREAS, The effort and support of Marnie Graham, Terri Harris, Cindi Pederson and Tammy Vicaryous, statisticians for the team, and Jill McKune and Marci Smith, the video-tape crew, contributed to the team's success;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That congratulations for this accomplishment be extended to the members of the Castle Rock High School "Rockets" wrestling team and their coaches; and

BE IT FURTHER RESOLVED, That the Castle Rock High School "Rockets" wrestling team, its coaching staff, the cheerleaders, statisticians and the video-tape crew be

highly commended for their accomplishment which has made the students of Castle Rock High School, the citizens of Castle Rock and the State of Washington very proud; and

BE IT FURTHER RESOLVED, That copies of this Resolution be transmitted by the Chief Clerk of the House of Representatives to the wrestlers, coaches, cheerleaders, statisticians and video-tape crew of the Castle Rock High School "Rockets" wrestling team.

On motion of Ms. L. Smith, the resolution was adopted.

The Speaker (Mr. O'Brien presiding) declared the House to be recessed until 1:00 p.m.

#### AFTERNOON SESSION

The House was called to order at 1:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Addison, Chandler and Dellwo. Representative Chandler was excused.

The House reverted to the sixth order of business.

#### SECOND READING

HOUSE BILL NO. 102, by Representatives Sommers, B. Williams, Grimm, Brække, Vander Stoep, Tilly, Braddock, Schoon, Thomas, Fuhrman, J. Williams, Winsley, Patrick, Hastings, Isaacson, Hankins, May and Silver; by Legislative Budget Committee request

Eliminating supplemental pension benefits for future higher education employees and permitting retirement plan options.

The bill was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Sommers and B. Williams spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 102, and the bill passed the House by the following vote: Yeas, 89; nays, 4; absent, 4; excused, 1.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brække, Bristow, Brooks, Brough, Cole, Crane, Day, Dobbs, Doty, Ebersole, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, King J, King P, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Taylor, Thomas, Tilly, Todd, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 89.

Voting nay: Representatives Fisch, Jacobsen, King R, Nelson D - 4.

Absent: Representatives Addison, Dellwo, Tanner, Unsoeld - 4.

Excused: Representative Chandler - 1.

House Bill No. 102, having received the 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. 376, by Representatives Tilly, Sommers, Wang, B. Williams, Grimm, Braddock, Patrick, Silver, Winsley, Addison, Isaacson, Sanders, Padden and Haugen

Providing for actuarial fiscal notes for retirement legislation.

The bill was read the second time. On motion of Mr. Braddock, Substitute House Bill No. 376 was substituted for House Bill No. 376 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 376 was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 376, and the bill passed the House by the following vote: Yeas, 95; absent, 2; excused, 1.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Cole, Crane, Day, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Absent: Representatives Addison, Dellwo - 2.

Excused: Representative Chandler - 1.

Substitute House Bill No. 376, having received the 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. 444, by Representatives Sommers, Grimm, Patrick, Tilly, Wang, Ballard and Isaacson; by Department of Retirement Systems request

Revising provisions relating to disability benefits for the law enforcement officers' and fire fighters' retirement system.

The bill was read the second time. On motion of Mr. Braddock, Substitute House Bill No. 444 was substituted for House Bill No. 444 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 444 was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 444, and the bill passed the House by the following vote: Yeas, 95; absent, 2; excused, 1.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Cole, Crane, Day, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Absent: Representatives Addison, Dellwo - 2.

Excused: Representative Chandler - 1.

Substitute 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.

Representative Dellwo appeared at the bar of the House.

HOUSE BILL NO. 657, by Representatives Sommers, Tilly, Braddock, B. Williams, Wang, Grimm, Silver, Scott and Isaacson

Revising provisions relating to disability benefits under the law enforcement officers' and fire fighters' retirement system.

The bill was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 657, and the bill passed the House by the following vote: Yeas, 96; absent, 1; excused, 1.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J. King P. King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C. Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Loven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Absent: Representative Addison - 1.

Excused: Representative Chandler - 1.

House Bill No. 657, having received the 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. 378, by Representatives Sommers, Tilly, Wang, B. Williams, Grimm, Braddock, Patrick, Silver, Winsley, Basich, Miller, Isaacson and Brekke

Requiring funding of cost of living retirement adjustments.

The bill was read the second time. On motion of Mr. Braddock, Substitute House Bill No. 378 was substituted for House Bill No. 378 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 378 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 458, by Representatives Sommers, Tilly, B. Williams, Braddock, Wang, Grimm, Silver, Patrick and P. King

Modifying provisions relating to judges' retirement.

The bill was read the second time. On motion of Mr. Braddock, Substitute House Bill No. 458 was substituted for House Bill No. 458 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 458 was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### POINT OF INQUIRY

Ms. Sommers yielded to question by Ms. Miller.

Ms. Miller: "Representative Sommers, would it be possible for those who are already serving as judges who had previously been in the PERS system, to then move back to the PERS system under this bill, instead of staying under the judges' system?"

Ms. Sommers: "Yes, there is an option for judges to transfer to the PERS system."



## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 458, and the bill passed the House by the following vote: Yeas, 96; absent, 1; excused, 1.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Absent: Representative Addison - 1.

Excused: Representative Chandler - 1.

Substitute House Bill No. 458, having received the 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. 351, by Representatives Appelwick, Jacobsen, Hine, Basich, Sommers, Leonard and Lux

Permitting teachers to receive pension payments under certain circumstances while teaching.

The bill was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Appelwick, Silver and Sommers spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 351, and the bill passed the House by the following vote: Yeas, 93; nays, 3; absent, 1; excused, 1.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives Belcher, Tilly, Williams B - 3.

Absent: Representative Addison - 1.

Excused: Representative Chandler - 1.

House Bill No. 351, having received the 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. 375, by Representatives Tilly, Sommers, B. Williams, Grimm, Braddock, Patrick, Silver, Winsley, Addison, Miller and Isaacson

Revising provisions relating to unfunded retirement system liability.

The bill was read the second time. On motion of Mr. Braddock, Substitute House Bill No. 375 was substituted for House Bill No. 375 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 375 was read the second time and passed to Committee on Rules for third reading.

Representative Addison appeared at the bar of the House.

HOUSE BILL NO. 220, by Representatives Unsoeld, Belcher, Hankins, B. Williams and Isaacson; by Secretary of State request

Modifying provisions relating to the productivity board.

The bill was read the second time. On motion of Ms. Belcher, Substitute House Bill No. 220 was substituted for House Bill No. 220 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 220 was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Belcher and Hankins spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 220, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Chandler - 1.

Substitute 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.

HOUSE BILL NO. 891, by Representative Ballard

Revising provisions of park district annexation.

The bill was read the second time. On motion of Ms. Haugen, Substitute House Bill No. 891 was substituted for House Bill No. 891 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 891 was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 891, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Chandler - 1.

Substitute House Bill No. 891, having received the 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. 957, by Representatives Winsley, Crane, Barrett, West, Zellinsky, P. King and Holland

Revising coverage requirements on underinsured motor vehicles.

The bill was read the second time. On motion of Mr. Lux, Substitute House Bill No. 957 was substituted for House Bill No. 957 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 957 was read the second time.

Mr. Lux moved adoption of the following amendments by Representatives Lux and Nutley:

On page 2, line 7 after "coverage" strike all material to and including "section" on line 9 and insert "~~((unless the insured rejects all or part of the coverage as provided in subsection (4) of this section))~~"

On page 2, line 16 after "for" strike "bodily injury or death, or property damage," and insert "~~((bodily injury or death, or))~~ property damage~~((:))~~"

Mr. Lux spoke in favor of the amendments, and Representatives Winsley and Barrett spoke against them.

Mr. Lux spoke again in favor of the amendments.

A division was called.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives Lux and Nutley to Substitute House Bill No. 957, and the amendments were not adopted by the following vote: Yeas, 35; nays, 62; excused, 1.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Crane, Ebersole, Fisch, Fisher, Grimm, Haugen, Hine, Jacobsen, King J. Leonard, Locke, Lundquist, Lux, McMullen, Nelson D, Niemi, Nutley, Peery, Rust, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Wilson K, Wineberry, and Mr. Speaker - 35.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Basich, Baugher, Betzoff, Bond, Bristow, Brooks, Brough, Cole, Day, Dellwo, Dobbs, Doty, Fuhrman, Gallagher, Hankins, Hargrove, Hastings, Holland, Isaacson, King P, King R, Kremen, Lewis, Long, Madsen, May, Miller, Nealey, Nelson G, O'Brien, Padden, Patrick, Prince, Rayburn, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walk, Walker, Wang, West, Williams B, Williams J, Wilson S, Winsley, Zellinsky - 62.

Excused: Representative Chandler - 1.

Mr. Wang moved adoption of the following amendment by Representatives Wang, Lux, Winsley and Barrett:

On page 2, line 24 after "policy," insert "If the property damage coverage is to be provided in addition to collision coverage, the policyholder or prospective policyholder shall be notified that such property damage coverage may tend to duplicate collision coverage."

Representatives Wang and Winsley spoke in favor of the amendment, and it was adopted.

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

Representative Chandler appeared at the bar of the House.

HOUSE BILL NO. 1094, by Representatives L. Smith, Dellwo, Brooks, Schmidt, Rayburn and Bond

Expanding eligibility for issuance of identicards.

The bill was read the second time.

Mr. Lux moved adoption of the following amendment by Representatives Lux and Barrett:

On page 1, line 21 after "46.20.336" insert the following:  
"The 'identicard' shall be sufficient proof to establish the identity of a person for presentment of a state or federal check or warrant."

Mr. Lux spoke in favor of the amendment.

## POINT OF INQUIRY

Mr. Lux yielded to question by Mr. Barnes.

Mr. Barnes: "Representative Lux, would this amendment establish in law that we would give the state responsibility for any check that was used by a person who had an identity card but was the wrong person? Would this make us liable for federal and state checks that were cashed because this law would require that was sufficient identity?"

Mr. Lux: "You are saying that if somebody stole an identification card that this would make it so that the bank wouldn't be liable? That is not true."

Representatives Barnes and Patrick spoke against the amendment.

## POINT OF INQUIRY

Mr. Lux yielded to question by Mr. Hastings.

Mr. Hastings: "Representative Lux, with this in statute, and I were somebody who would cash the checks, would this make it mandatory that I cash the check?"

Mr. Lux: "Absolutely not. The way it is now, banks do not have to cash anybody's check. Banks can have a charge for a check. We have had legislation in committee trying to deal with that. This in no way says that the bank has to cash the check. We're not into that. We just say that this card will serve as suitable identification because a lot of welfare recipients don't have credit cards or some of the other identification that some banks require--two or three or four pieces. We're saying, because in the WAC there are already five or six different types of identification that are necessary to acquire this type of a card, that is not necessary to comply with all the other cards. Many, many people in those types of situations don't have credit cards to present. That's one of the general second types of identification that this asks for."

Mr. Hastings spoke in opposition to the amendment.

The amendment was not adopted.

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

HOUSE BILL NO. 1116, by Representatives Day, Padden, Dellwo, Silver, Barrett, Taylor, Haugen, Isaacson, J. King, Bond, West and Fuhrman

Authorizing the establishment of aquifer protection areas.

The bill was read the second time. On motion of Ms. Haugen, Substitute House Bill No. 1116 was substituted for House Bill No. 1116 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1116 was read the second time.

Mr. Isaacson moved adoption of the following amendments:

On page 1, line 4 strike "subterranean water" and insert "sole source aquifers"  
 On page 1, line 8 strike "subterranean water" and insert "sole source aquifers"  
 On page 1, line 10 strike "subterranean water" and insert "sole source aquifers"  
 On page 1, line 15 strike "subterranean water" and insert "sole source aquifers"  
 On page 3, line 20 strike "subterranean water" and insert "sole source aquifers"  
 On page 3, line 21 strike "subterranean water" and insert "sole source aquifers"

Mr. Isaacson spoke in favor of the amendments, and Representatives Haugen and Ebersole spoke against them.

The amendments were not adopted.

Mr. Isaacson moved adoption of the following amendment:

On page 2, line 30 after "disposal," insert "Fees for on-site sewage disposal may only be imposed on on-site sewage disposal systems installed after the effective date of the ordinance that adopts the fee."

Mr. Isaacson spoke in favor of the amendment, and Mr. Barrett spoke against it.

Mr. Isaacson again spoke in favor of the amendment, and Mr. Day opposed it.

The amendment was not adopted.

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

Representatives Day, Taylor, Padden and Isaacson spoke in favor of the bill, and Mr. van Dyke spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1116, and the bill passed the House by the following vote: Yeas, 96; nays, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representatives Sanders, van Dyke - 2.

Substitute House Bill No. 1116, having received the 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. 1021, by Representatives Vekich and Nealey; by Department of Agriculture request

Providing civil penalties and enforcement for violations of certain pesticide control laws.

The bill was read the second time.

Mr. Bristow moved adoption of the following amendment by Representatives Bristow and Ballard:

Strike everything after the enacting clause and insert the following:

**\*NEW SECTION, Sec. 1.** A new section is added to chapter 15.58 RCW to read as follows:

Every person who fails to comply with this chapter or the rules adopted under it may be subjected to a civil penalty, as determined by the director, in an amount of not more than one thousand dollars for every such violation. Each and every such violation shall be a separate and distinct offense. Every person who, through an act of commission or omission, procures, aids, or abets in the violation shall be considered to have violated this section and may be subject to the civil penalty herein provided.

Sec. 2. Section 26, chapter 190, Laws of 1971 ex. sess. and RCW 15.58.260 are each amended to read as follows:

The director is authorized to impose a civil penalty and/or deny, suspend, or revoke any license, registration or permit provided for in this chapter subject to a hearing and in conformance with the provisions of chapter 34.04 RCW (Administrative Procedure Act) in any case in which ((he)) the director finds there has been a failure or refusal to comply with the provisions of this chapter or ((regulations)) rules adopted hereunder.

**NEW SECTION, Sec. 3.** A new section is added to chapter 17.21 RCW to read as follows:

Every person who fails to comply with this chapter or the rules adopted under it may be subjected to a civil penalty as determined by the director in an amount of not more than one thousand dollars for every such violation. Each and every such violation shall be a separate and distinct offense. Every person who, through an act of commission or omission, procures, aids, or abets in the violation shall be considered to have violated this section and may be subject to the civil penalty herein provided.

Sec. 4. Section 5, chapter 249, Laws of 1961 and RCW 17.21.050 are each amended to read as follows:

All hearings for the imposition of a civil penalty and/or the suspension, denial or revocation of a license issued under the provisions of this chapter shall be subject to the provisions of chapter 34.04 RCW as enacted or hereafter amended, concerning contested cases."

Representatives Bristow and Ballard spoke in favor of the amendment and it was adopted.

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

On page 1, line 1 of the title, after "control;" insert "amending RCW 15.58.260 and 17.21.050;"

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

Representatives Vekich and Nealey spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1021, and the bill passed the House by the following vote: Yeas, 98.

Voting yeas: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Engrossed House Bill No. 1021, having received the 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. 12, by Representatives Thomas, Smitherman, Cole, Madsen, Walker, Scott, Lundquist, Basich, Leonard, Dobbs, Bristow, Brooks, S. Wilson, Taylor, Schmidt, J. Williams, Grimm, Vekich, Allen, Kremen, Van Luven, Todd, Winsley, P. King, Tanner, C. Smith and Silver

Requesting Congress to retain the small business administration.

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

SUBSTITUTE HOUSE JOINT RESOLUTION NO. 25, by Committee on Constitution, Elections & Ethics (originally sponsored by Representatives Fisher, Fisch, Leonard and Hargrove)

Providing for the alteration of counties.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, 58th Day, March 12, 1985.)

The Speaker stated the question before the House to be the amendment by Representative Fisch to page 1, line 27.

With the consent of the House, Mr. Fisch withdrew the amendment.

Mr. Fisch moved adoption of the following amendment:

On page 1, line 27 after "county;" insert:

"(b) The petition forms referred to in (a) are organized and certified by voting precinct."

Remember the remaining subsections consecutively and correct internal references accordingly.

Mr. Fisch spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Fisch yielded to question by Mr. Barnes.

Mr. Barnes: "Representative Fisch, I think on lines 25 and 26, page 1, the bill says something about each portion of the county area to be made into a new county would have to vote in the affirmative on the initiative to form the county?"

Mr. Fisch: "Yes, Representative Barnes, that's the last part of the process. That is, initially there would be a petition presented to the legislature and that refers to this process."

Mr. Barnes: "My question was, (and I think possibly you have answered it) does this amendment mean that each precinct would have to vote 'Yes' on the initiative in order to form the county?"

Mr. Fisch: "No, not at all, Representative Barnes. I'm glad you brought that question up. Actually, what this provides for is simply the petition process which is the first process. The referendum is the last part of the process, but between the petition process and the referendum process it is going to be left to the legislature to draw the county boundaries and the legislature, it seems to me, simply is going to have to have some method other than guessing for deciding whether to support, whether it's a majority opposition, to a county line being drawn. This simply, I think, gives us a tool to help decide that."

Mr. Barnes spoke in favor of the amendment.

The amendment was adopted.

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

HOUSE BILL NO. 225, by Representatives Rust, Allen, Unsoeld, Holland, Lux and Valle

Establishing a civil penalty for the unauthorized or illegal operation of waste management facilities.

The bill was read the second time.

Ms. Allen moved adoption of the following amendment by Representatives Allen and Rust:

On page 1, line 11 after "violation," insert "Whenever the department determines that a person has violated or is about to violate any provision of this chapter, the department shall notify that person by registered mail or personally of the departments' determination, and that the violator is or may become subject to civil penalties."

Representatives Allen and Rust spoke in favor of the amendment, and it was adopted.

On motion of Ms. Allen, the following amendment by Representatives Allen and Rust was adopted:

On page 1, line 28 after "proper," insert "A person against whom a penalty is imposed under this section shall be afforded an opportunity for a hearing in accordance with chapter 34.04 RCW."

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

HOUSE JOINT MEMORIAL NO. 22, by Representatives Lux, Winsley, P. King and Addison

Requesting Congress to establish a uniform system to regulate financial institutions.

The memorial was read the second time. On motion of Mr. Barrett, the rules were suspended, the second reading considered the third, and the memorial was placed on final passage.

Representatives Lux and Winsley spoke in favor of the memorial.

#### ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 22, and the memorial passed the House by the following vote: Yeas, 92; nays, 5; absent, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Basich, Baugher, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 92.

Voting nay: Representatives Barnes, Bond, Dobbs, van Dyke, Williams J - 5.

Absent: Representative Sanders - 1.

House Joint Memorial No. 22, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 565, by Representatives Nutley, Ballard, Haugen, B. Williams and Isaacson

Authorizing county treasurer to serve as fiscal agent for certain local government units.

The bill was read the second time. On motion of Ms. Haugen, Substitute House Bill No. 565 was substituted for House Bill No. 565 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 565 was read the second time. On motion of Mr. J. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 565, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute House 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.

#### THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 192, by Committee on Constitution, Elections & Ethics (originally sponsored by Representatives Fisher, Miller, Valle, D. Nelson, Jacobsen, Unsoeld, Leonard, Tanner, Sayan, Dellwo, Lux and Armstrong)

Limiting campaign contributions.

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

Ms. Fisher spoke in favor of the bill.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

#### MESSAGE FROM THE SENATE

March 13, 1985

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 3067,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3160,  
 SUBSTITUTE SENATE BILL NO. 3184,  
 ENGROSSED SENATE BILL NO. 3205,  
 SUBSTITUTE SENATE BILL NO. 3279,  
 SENATE BILL NO. 3352,  
 SUBSTITUTE SENATE BILL NO. 3369,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3416,  
 SUBSTITUTE SENATE BILL NO. 3452,  
 SUBSTITUTE SENATE BILL NO. 3568,  
 SUBSTITUTE SENATE BILL NO. 3587,  
 SUBSTITUTE SENATE BILL NO. 3595,  
 SUBSTITUTE SENATE BILL NO. 3598.



SUBSTITUTE SENATE BILL NO. 3630,  
 SUBSTITUTE SENATE BILL NO. 3684,  
 SUBSTITUTE SENATE BILL NO. 3786,  
 ENGROSSED SENATE BILL NO. 3846,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3904,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 4118,  
 ENGROSSED SENATE BILL NO. 4140,  
 ENGROSSED SENATE BILL NO. 4227,  
 SUBSTITUTE SENATE JOINT MEMORIAL NO. 104.

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

The Speaker stated the question before the House to be Engrossed Substitute House Bill No. 192 on final passage.

Representatives Barnes and Miller spoke against passage of the bill, and Mr. J. King spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 192, and the bill failed to pass the House by the following vote: Yeas, 46; nays, 52.

Voting yea: Representatives Appelwick, Armstrong, Basich, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Grimm, Haugen, Hine, Jacobsen, King P., Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D., Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Valle, Vekich, Walk, Wang, Wilson K., Wineberry, and Mr. Speaker - 46.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Baugher, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Gallagher, Hankins, Hargrove, Hastings, Holland, Isaacson, King J., King R., Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G., Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C., Smith L., Taylor, Thomas, Tilly, Unsoeld, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B., Williams J., Wilson S., Winsley, Zellinsky - 52.

Engrossed Substitute House Bill No. 192, having failed to receive the constitutional majority, was declared lost.

#### NOTICE OF RECONSIDERATION

Mr. J. King, having voted on the prevailing side, served notice that he would, on the next working day, move for reconsideration of the vote by which Engrossed Substitute House Bill No. 192 failed to pass the House.

#### MOTION

Mr. J. King moved that all bills passed by the House during the morning and afternoon sessions today be immediately transmitted to the Senate.

Representative Barrett spoke in favor of the motion and it was carried.

#### MOTION

On motion of Mr. J. King, the House recessed until 6:30 p.m.

#### EVENING SESSION

The House was called to order at 6:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Sayan, who was excused.

There being no objection, the House reverted to the fourth order of business.

#### INTRODUCTIONS AND FIRST READING

ESB 3067 by Senators Hansen, Gaspard, Bottiger, Barr, Benitz, Vognild, Sellar, Goltz, Bailey and Newhouse

Modifying provisions relating to aquatic farming.

Referred to Committee on Agriculture.

- ESSB 3160 by Committee on Education (originally sponsored by Senator Warnke)  
Providing for school employee suggestion awards.  
Referred to Committee on Education.
- SSB 3184 by Committee on Governmental Operations (originally sponsored by Senator Thompson)  
Providing state-owned housing for certain state employees.  
Referred to Committee on State Government.
- ESB 3205 by Senators Gaspard, Bauer, Patterson, Bender and Johnson  
Modifying the period for accumulation of leave for school employees.  
Referred to Committee on Education.
- SSB 3279 by Committee on Education (originally sponsored by Senators Gaspard, Goltz, Saling, Johnson, Lee, Stratton, Conner, Bender, Kiskaddon and Guess)  
Establishing requirements for home schooling.  
Referred to Committee on Education.
- SB 3352 by Senators Gaspard, Bauer, Kiskaddon and Patterson  
Providing a state clearinghouse for educational information.  
Referred to Committee on Education.
- SSB 3369 by Committee on Governmental Operations (originally sponsored by Senators Talmadge, Fleming, DeJarnatt and Kreidler)  
Authorizing municipalities to make reparations to certain employees who suffered salary losses during World War II.  
Referred to Committee on Local Government.
- ESSB 3416 by Committee on Financial Institutions (originally sponsored by Senators Moore, Rasmussen, Halsan, Warnke and McDonald)  
Providing penalties for persons writing drafts or checks and having insufficient funds.  
Referred to Committee on Financial Institutions & Insurance.
- SSB 3452 by Committee on Judiciary (originally sponsored by Senators Talmadge and Granlund)  
Establishing procedures for testimony of children in sexual offense cases.  
Referred to Committee on Judiciary.
- SSB 3568 by Committee on Parks & Ecology (originally sponsored by Senators Kreidler, Wojahn and Fleming)  
Restricting expenditures for administrative costs on conservation corps projects.  
Referred to Committee on Trade & Economic Development.
- SSB 3587 by Committee on Education (originally sponsored by Senator Goltz)  
Authorizing the selection of students to attend a compact-authorized program in osteopathic medicine.  
Referred to Committee on Higher Education.
- SSB 3595 by Committee on Judiciary (originally sponsored by Senators Talmadge, McCaslin, Pullen, Moore, Barr, Rasmussen and Lee)  
Establishing the crime of robbery of controlled substance.  
Referred to Committee on Judiciary.

SSB 3598 by Committee on Human Services & Corrections (originally sponsored by Senators Granlund, Craswell, McManus, Stratton and Kiskaddon)

Establishing protections for disabled persons assisted by service dogs.

Referred to Committee on Social & Health Services.

SSB 3630 by Committee on Commerce & Labor (originally sponsored by Senators Warnke, Gaspard and Talmadge)

Changing provisions relating to the Washington high-technology coordinating board.

Referred to Committee on Trade & Economic Development.

SSB 3684 by Committee on Ways & Means (originally sponsored by Senator McDermott)

Modifying provisions on the state lottery.

Referred to Committee on Commerce & Labor.

SSB 3786 by Committee on Judiciary (originally sponsored by Senators DeJarnatt and Owen)

Establishing misdemeanor offense for theft of shopping carts.

Referred to Committee on Judiciary.

ESB 3846 by Senators Gaspard, Patterson, Kiskaddon and Bauer

Changing certain requirements regarding public schools' in-service training needs assessments.

Referred to Committee on Education.

ESSB 3904 by Committee on Human Services & Corrections (originally sponsored by Senators Kiskaddon and Johnson)

Permitting self-medication in boarding homes under certain circumstances.

Referred to Committee on Social & Health Services.

ESSB 4118 by Committee on Education (originally sponsored by Senators Gaspard, Rinehart, Bauer, Johnson and Saling; by Superintendent of Public Instruction request)

Planning and implementing a school administrators' academy.

Referred to Committee on Education.

ESB 4140 by Senator Gaspard; by Superintendent of Public Instruction, State Board of Education request

Revising high school graduation requirements.

Referred to Committee on Education.

ESB 4227 by Senators Bender, Kiskaddon, Vognild and Johnson

Changing provisions relating to scoliosis screening.

Referred to Committee on Social & Health Services.

SSJM 104 by Committee on Governmental Operations (originally sponsored by Senator Fleming)

Petitioning Congress to enact legislation to provide financial assistance to Japanese-Americans who were relocated during World War II.

Referred to Committee on State Government.

#### MOTION

On motion of Mr. J. King, the bills and the memorial listed on today's calendar under the fourth order of business were considered first reading and referred to the committees designated.

The House advanced to the sixth order of business.

#### SECOND READING

HOUSE BILL NO. 323, by Representatives Belcher, Unsoeld, Allen, Rust, Dellwo, Locke, P. King, Jacobsen, Fisher, Brekke and Day

Requiring a management program for the Nisqually river system.

The bill was read the second time. On motion of Ms. Belcher, Substitute House Bill No. 323 was substituted for House Bill No. 323 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 323 was read the second time.

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

On page 2, line 9 after "owners." insert "If this program requires private property owners to sell property they own, the private property owners shall receive fair market value for their property."

On page 2, line 23 after "owners" insert "nor shall this act require that private property owners sell their property for less than fair market value"

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

HOUSE BILL NO. 435, by Representatives Wang, Barrett, R. King, Patrick, Sayan, Winsley, Fisch, Vekich, Madsen, Fisher, P. King, Basich and Isaacson

Revising provisions relating to law enforcement officers and fire fighters.

The bill was read the second time. On motion of Mr. Wang, Substitute House Bill No. 435 was substituted for House Bill No. 435 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 435 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 251, by Representatives Tilly, Padden, Brooks, Lewis, Braddock, Bristow, Miller, Holland, Todd, Bond and Kremen

Prescribing penalties for fraudulent use of ski area facilities.

The bill was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Tilly and Armstrong spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 251, and the bill passed the House by the following vote: Yeas, 96; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Vaile, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Absent: Representative Fisch - 1.

Excused: Representative Sayan - 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.

HOUSE BILL NO. 268, by Representatives Tanner, B. Williams, Brekke, Lewis and Ebersole; by Department of Corrections request

Allowing institutional industries to purchase products and services for resale.

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

HOUSE BILL NO. 596, by Representatives Hine, Barnes and Valle

Authorizing transaction assistance as a remedial program for property in a noise abatement impacted area.

The bill was read the second time. On motion of Ms. Haugen, Substitute House Bill No. 596 was substituted for House Bill No. 596 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 596 was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 596, and the yeas passed the House by the following vote: Yeas, 96; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Absent: Representative King J - 1.

Excused: Representative Sayan - 1.

Substitute House Bill No. 596, having received the 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. 1106, by Representatives Long, Rayburn, Holland, Ebersole, Betrozoff, Walk, Walker, Isaacson, May and Todd

Providing grants to schools using parents, teachers aides, and volunteers for certain instructional purposes.

The bill was read the second time. On motion of Mr. Ebersole, Substitute House Bill No. 1106 was substituted for House Bill No. 1106 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1106 was read the second time.

Ms. Long moved adoption of the following amendment by Representatives Long and Ebersole:

On page 1, after 3 insert the following:

"NEW SECTION, Sec. 1. A new section is added to chapter 28A.58 RCW to read as follows: The legislature recognizes the importance of, and wishes to encourage, parental involvement in the education of their children."

Renumber the remaining sections consecutively.

Representatives Long and Ebersole spoke in favor of the amendment, and it was adopted.

Ms. Long moved adoption of the following amendment by Representatives Long and Ebersole:

On page 1, line 6 after "(1)" strike everything through "students." on line 12.

Representatives Long and Ebersole spoke in favor of the amendment, and it was adopted.

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

HOUSE BILL NO. 244, by Representatives O'Brien, P. King, Winsley, Hastings, May, Bond, Crane and Fisch

Creating a state medal of merit.

The bill was read the second time. On motion of Mr. J. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 244, and the bill passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Ebersole - 1.

Excused: Representative Sayan - 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.

HOUSE BILL NO. 321, by Representatives Walk, Schmidt, Sutherland, Prince, J. Williams, Winsley and Hankins; by County Road Administration Board request

Giving the county road administration board more responsibility over county road moneys.

The bill was read the second time. On motion of Mr. Wineberry, Substitute House Bill No. 321 was substituted for House Bill No. 321 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 321 was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 321, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Sayan - 1.

Substitute House 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.

Mr. Sayan appeared at the bar of the House.

HOUSE BILL NO. 602, by Representatives Nutley, May, Hine, Brough, Bristow and Haugen

Requiring plat to meet standards established by engineering service division.

The bill was read the second time. On motion of Ms. Haugen, Substitute House Bill No. 602 was substituted for House Bill No. 602 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 602 was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 602, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 602, having received the 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. 131, by Representatives Brekke and B. Williams

Revising the regulation of health-related professions.

The bill was read the second time. On motion of Ms. Brekke, Substitute House Bill No. 131 was substituted for House Bill No. 131 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 131 was read the second time.

Mr. Tanner moved adoption of the following amendment by Representatives Tanner and J. King:

On page 73, after line 33 insert a new section as follows:

"NEW SECTION. Sec. 139. There is added to chapter 18.88 RCW a new section to read as follows:

The board shall have authority to establish by rule educational requirements for authorization to prescribe drugs by certified registered nurses, provided that such rules shall not be retroactively applied to nurses currently authorized to prescribe drugs."

#### POINT OF ORDER

Ms. Brekke: "Mr. Speaker, I raise the question of scope and object on this amendment."

#### SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Representative Brekke, it appears that your point of order is well taken. The proposed amendment sets forth educational requirements or authorization to prescribe drugs by certified registered nurses. It provides that such rules shall not be retroactively applied to nurses currently authorized to prescribe drugs. The act pertains to disciplinary actions to the various professions. It appears that Rule 12(D) that amendments to be germane, 'No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment...' Under the rule, the amendment is out of order."

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

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 131, and the bill passed the House by the following vote: Yeas, 97; nays, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Taylor, Thomas, Tilly, Todd, Unsold, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Voting nay: Representative Tanner - 1.

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

HOUSE JOINT RESOLUTION NO. 6, by Representatives Ehlers, S. Wilson, J. King, Ballard, Hine, G. Nelson, Belcher, Barrett, Grimm, Crane, Armstrong, Allen, Gallagher, Hankins, Leonard, May, D. Nelson, Holland, O'Brien, Winsley, Lewis, Silver, Day, B. Williams, Miller and Isaacson

Providing for the organization of state government.

The resolution was read the second time. On motion of Ms. Belcher, Substitute House Joint Resolution No. 6 was substituted for House Joint Resolution No. 6, and the substitute resolution was placed on the calendar for second reading.

Substitute House Joint Resolution No. 6 was read the second time.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker called the House to order.

## MOTION

On motion of Mr. J. King, Engrossed Substitute House Bill No. 23 was placed on the calendar for immediate consideration.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 23, by Committee on Local Government (originally sponsored by Representatives Haugen, Allen, Miller and Rayburn)

Providing regulations for compensation for members of special district governing bodies.

The bill was read the second time.

Ms. Haugen moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 35.58.160, chapter 7, Laws of 1965 as amended by section 2, chapter 84, Laws of 1974 ex. sess. and RCW 35.58.160 are each amended to read as follows:

The chairman and committee chairmen of the metropolitan council except elected public officials serving on a full-time salaried basis may receive such compensation as the other members of the metropolitan council shall provide. Members of the council other than the chairman and committee chairmen shall receive compensation of fifty dollars per day or portion thereof for attendance at metropolitan council or committee meetings ((of forty dollars per diem)), or for performing other services on behalf of the metropolitan municipal corporation, but not exceeding a total of ((three hundred and twenty)) four thousand eight hundred dollars in any ((one month)) year, in addition to any compensation which they may receive as officers of component cities or counties: PROVIDED, That elected public officers serving in such capacities on a full-time basis shall not receive compensation for attendance at metropolitan, council, or committee meetings, or otherwise performing services on behalf of the metropolitan municipal corporation: PROVIDED FURTHER, That committee chairmen shall not receive compensation in any one year greater than one-third of the compensation authorized for the county commissioners or county councilmen of the central county.

All members of the council shall be reimbursed for expenses actually incurred by them in the conduct of official business for the metropolitan municipal corporation.

Sec. 2. Section 22, chapter 34, Laws of 1939 as last amended by section 1, chapter 27, Laws of 1980 and RCW 52.14.010 are each amended to read as follows:



The affairs of the district shall be managed by a board of fire commissioners composed of three resident electors of the district ~~except as provided in RCW 52.14.015 and 52.14.020. ((The))~~ Each member((s)) shall each receive ((twenty-five)) fifty dollars per day or portion thereof, not to exceed ((seventy-five)) four thousand eight hundred dollars per ((month)) year, for attendance at board meetings and for performance of other services in behalf of the district.

In addition, they shall receive necessary expenses incurred in attending meetings of the board or when otherwise engaged in district business, and shall be entitled to receive the same insurance available to all firemen of the district: PROVIDED, That the premiums for such insurance, except liability insurance, shall be paid by the individual commissioners who elect to receive it. ~~((In any district which has a fire department owning and operating motor-powered fire fighting equipment and employing personnel on a full time, fully paid basis, fire commissioners, in addition to expenses as aforesaid, shall each receive twenty-five dollars per day, not to exceed one hundred twenty-five dollars per month, for attendance at board meetings and for performance of other services on behalf of the district.))~~

Any commissioner may waive all or any portion of his or her compensation payable under this section as to any month or months during his or her term of office, by a written waiver filed with the secretary as provided in this section. The waiver, to be effective, must be filed any time after the commissioner's election and prior to the date on which said compensation would otherwise be paid. The waiver shall specify the month or period of months for which it is made.

The board shall fix the compensation to be paid the secretary and all other agents and employees of the district. The board may, by resolution adopted by unanimous vote, authorize any of its members to serve as volunteer firemen without compensation. A commissioner actually serving as a volunteer fireman may enjoy the rights and benefits of a volunteer fireman. The first commissioners shall take office immediately when qualified in accordance with RCW 29.01.135 and shall serve until after the next general election for the selection of commissioners and until their successors have been elected and have qualified and have assumed office in accordance with RCW 29.04.170.

Sec. 3. Section 1, chapter 187, Laws of 1975 1st ex. sess. and RCW 53.12.260 are each amended to read as follows:

Each commissioner((s)) of a port district shall receive ((up to forty)) fifty dollars per day ((for each day)) or portion thereof spent (a) in actual attendance at official meetings of the port district commission, or (b) in performance of other service in behalf of the district: PROVIDED, That no commissioner shall receive compensation ((for more than seventy-two days)) to exceed five thousand eight hundred dollars for any calendar year: PROVIDED FURTHER, That no commissioner of a port district ((having a population of less than one hundred thousand persons according to the most recent United States census)) shall receive compensation ((for more than forty-eight days)) to exceed four thousand eight hundred dollars for any calendar year if the port district had gross operating income of less than twenty-five million dollars in the preceding calendar year.

For any commissioner who has not elected to become a member of public employees retirement system before May 1, 1975, the compensation provided pursuant to this section shall not be considered salary for purposes of the provisions of any retirement system created pursuant to the general laws of this state nor shall attendance at such meetings or other service on behalf of the district constitute service as defined in RCW 41.40.010(9): PROVIDED, That in the case of a port district when commissioners are receiving compensation and contributing to the public employees retirement system, these benefits shall continue in full force and effect notwithstanding the provisions of RCW 53.12.260 and 53.12.265.

Sec. 4. Section 4, chapter 207, Laws of 1951 as last amended by section 1, chapter 157, Laws of 1977 ex. sess. and RCW 54.12.080 are each amended to read as follows:

(1) Each public utility district commissioner of a district operating utility properties shall receive a salary during a calendar year which shall depend upon the total gross revenue of the district from its distribution system and its generating system, if any, for the fiscal year ending June 30th prior to such calendar year, based upon the following schedule:

REVENUE	SALARY
OVER \$15 million	\$500 per month
\$2 to 15 million	\$350 per month

Commissioners of other districts shall serve without salary unless the district provides by resolution for the payment thereof, which however shall not exceed two hundred dollars per month for each commissioner: PROVIDED, That a commissioner serving a term of office on September 21, 1977, in a district serving more than two thousand customers but with less than two million dollars gross annual revenue shall receive a salary of two hundred dollars per month through completion of the present term of office. In addition to salary, all districts may provide by resolution for the payment of per diem compensation to each commissioner at a rate not exceeding ((thirty-five)) fifty dollars for each day or major part thereof devoted to the business of the district, and days upon which he attends meetings of the commission of his district or meetings attended by one or more commissioners of two or more districts called to consider business common to them, but such ((per diem)) compensation paid during any one year to a

commissioner shall not exceed ~~(five)~~ seven thousand dollars. Per diem compensation shall not be paid for services of a ministerial or professional nature.

(2) Any commissioner may waive all or any portion of his or her compensation payable under this section as to any month or months during his or her term of office, by a written waiver filed with the district as provided in this section. The waiver, to be effective, must be filed any time after the commissioner's election and prior to the date on which the compensation would otherwise be paid. The waiver shall specify the month or period of months for which it is made.

(3) Each district commissioner shall be reimbursed for reasonable expenses actually incurred in connection with such business and meetings, including his subsistence and lodging and travel while away from his place of residence.

(4) Any district providing group insurance for its employees, covering them, their immediate family and dependents, may provide insurance for its commissioner with the same coverage.

Sec. 5. Section 9, chapter 210, Laws of 1941 as last amended by section 1, chapter 92, Laws of 1980 and RCW 56.12.010 are each amended to read as follows:

The governing body of a sewer district shall be a board of commissioners consisting of three members. The commissioners shall annually elect one of their number as president and another as secretary of the board.

A district shall provide by resolution for the payment of compensation to each of its commissioners at a rate ~~((not exceeding forty))~~ of fifty dollars for each day or ~~((major part))~~ portion thereof devoted to the business of the district: PROVIDED, That the ~~((per diem))~~ compensation for each commissioner shall not exceed ~~((twenty-four hundred))~~ four thousand eight hundred dollars per year. In addition, the secretary may be paid a reasonable sum for clerical services.

Any commissioner may waive all or any portion of his or her compensation payable under this section as to any month or months during his or her term of office, by a written waiver filed with the district as provided in this section. The waiver, to be effective, must be filed any time after the commissioner's election and prior to the date on which the compensation would otherwise be paid. The waiver shall specify the month or period of months for which it is made.

No commissioner shall be employed full time by the district.

The board shall by resolution adopt rules governing the transaction of its business and shall adopt an official seal. All proceedings shall be by resolution recorded in a book kept for that purpose, which shall be a public record.

Sec. 6. Section 7, chapter 114, Laws of 1929 as last amended by section 2, chapter 92, Laws of 1980 and RCW 57.12.010 are each amended to read as follows:

The governing body of a district shall be a board of water commissioners consisting of three members. The board shall annually elect one of its members as president and another as secretary.

The board shall by resolution adopt rules governing the transaction of its business and shall adopt an official seal. All proceedings shall be by resolution recorded in a book kept for that purpose which shall be a public record.

A district shall provide by resolution for the payment of compensation to each of its commissioners at a rate ~~((not exceeding forty))~~ of fifty dollars for each day or ~~((major part))~~ portion thereof devoted to the business of the district: PROVIDED, That the ~~((per diem))~~ compensation for each commissioner shall not exceed ~~((twenty-four))~~ four thousand eight hundred dollars per year. In addition, the secretary may be paid a reasonable sum for clerical services.

Any commissioner may waive all or any portion of his or her compensation payable under this section as to any month or months during his or her term of office, by a written waiver filed with the district as provided in this section. The waiver, to be effective, must be filed any time after the commissioner's election and prior to the date on which the compensation would otherwise be paid. The waiver shall specify the month or period of months for which it is made.

No commissioner shall be employed full time by the district. Each commissioner shall be reimbursed for reasonable expenses actually incurred in connection with such business, including his subsistence and lodging, while away from the commissioner's place of residence and mileage for use of a privately-owned vehicle at the mileage rate authorized in RCW 43.03.060 as now existing or hereafter amended.

The date for holding elections and taking office as herein provided shall be subject to the provisions of any consolidated election laws that may be made applicable thereto although previously enacted.

Sec. 7. Section 15, chapter 264, Laws of 1945 as last amended by section 14, chapter 84, Laws of 1982 and RCW 70.44.050 are each amended to read as follows:

A district ~~((may))~~ shall provide by resolution for the payment of compensation to each of its commissioners at a rate ~~((not exceeding forty))~~ of fifty dollars for each day or ~~((major part))~~ portion thereof devoted to the business of the district, and days upon which he or she attends meetings of the commission of his or her own district, or meetings attended by one or more commissioners of two or more districts called to consider business common to them, except that

the total compensation paid to such commissioner during any one year shall not exceed ~~((two))~~ four thousand ((four)) eight hundred dollars: PROVIDED, That commissioners may not be compensated for services performed of a ministerial or professional nature.

Any commissioner may waive all or any portion of his or her compensation payable under this section as to any month or months during his or her term of office, by a written waiver filed with the district as provided in this section. The waiver, to be effective, must be filed any time after the commissioner's election and prior to the date on which the compensation would otherwise be paid. The waiver shall specify the month or period of months for which it is made.

Any district providing group insurance for its employees, covering them, their immediate family, and dependents, may provide insurance for its commissioners with the same coverage. Each commissioner shall be reimbursed for reasonable expenses actually incurred in connection with such business and meetings, including his subsistence and lodging and travel while away from his place of residence. No resolution shall be adopted without a majority vote of the whole commission. The commission shall organize by election of its own members of a president and secretary, shall by resolution adopt rules governing the transaction of its business and shall adopt an official seal. All proceedings of the commission shall be by motion or resolution recorded in a book or books kept for such purpose, which shall be public records."

Ms. Schmidt moved adoption of the following amendments by Representatives Schmidt and Zellinsky to the amendment:

On page 2, line 10 before "thousand" strike "four" and insert "one"

On page 3, beginning on line 17 after "exceed" strike "five thousand eight" and insert "three thousand six"

On page 5, line 23 after "hundred)" strike "four thousand eight hundred" and insert "three thousand"

On page 6, line 18 before "dollars" strike "four thousand eight" and insert "~~((hundred))~~ three thousand"

Representatives Schmidt, Zellinsky and Lundquist spoke in favor of the amendments to the amendment, and Representatives Miller, Haugen and Hine spoke against them.

Ms. Schmidt spoke again in favor of the amendments, and Ms. Brough spoke against them.

The amendments to the amendment were not adopted.

Mr. Tilly moved adoption of the following amendment by Representatives Tilly and Tanner to the Haugen amendment:

On page 4, after line 9 strike all the material down to and including "commissioner:" on page 4, line 16 and insert the following:

REVENUE	SALARY
OVER <del>((15))</del> \$25 million	<del>((500))</del> \$1,000 per month
\$2 to <del>((15))</del> 25 million	<del>((350))</del> \$500 per month

Commissioners of other districts shall serve without salary unless the district provides by resolution for the payment thereof, which however shall not exceed ~~((two))~~ three hundred dollars per month for each commissioner."

Mr. Tilly spoke in favor of the amendment to the amendment, and Representatives Haugen, Lundquist and Miller spoke against it.

The amendment to the amendment was not adopted.

On motion of Mr. Tilly, the following amendment by Representatives Tilly and Tanner to the Haugen amendment was adopted:

On page 4, beginning on line 16 after "commissioner." strike all material down to and including "office." on line 20 and insert "~~((:PROVIDED, That a commissioner serving a term of office on September 21, 1977, in a district serving more than two thousand customers but with less than two million dollars gross annual revenue shall receive a salary of two hundred dollars per month through completion of the present term of office))~~."

Mr. Jacobsen moved adoption of the following amendment by Representatives Jacobsen, Holland and Cole to the Haugen amendment:

On page 8, line 3 insert the following:

NEW SECTION, Sec. 8. A new section is added to chapter 28A.57 RCW to read as follows:

Each member of the board of directors of a school district shall receive compensation of fifty dollars per day or portion thereof, not to exceed four thousand eight hundred dollars per year, for attendance at board meetings and for performance of other services in behalf of the district.

Any director may waive all or any portion of his or her compensation payable under this section as to any month or months during his or her term in office, by a written waiver filed with the district as provided in this section. The waiver, to be effective, must be filed any time after the director's election and prior to the date on which the compensation would otherwise be paid. The waiver shall specify the month or period of months for which it is made.

Compensation as described herein shall not be the obligation of the state of Washington."

Representatives Jacobsen, Ebersole, Leonard and Van Luven spoke in favor of the amendment to the amendment, and Representatives Miller, Taylor, Schoon and Holland spoke against it.

A division was called.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Jacobsen and others to the Haugen amendment to Engrossed Substitute House Bill No. 23, and the amendment to the amendment was not adopted by the following vote: Yeas, 41; nays, 57.

Voting yea: Representatives Allen, Appelwick, Armstrong, Baugher, Belcher, Brekke, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Haugen, Hine, Jacobsen, King P, King R, Leonard, Lux, Madsen, McMullen, Nelson D, Niemi, O'Brien, Rayburn, Rust, Scott, Tanner, Todd, Unsoeld, Valle, Van Luven, Vekich, Walk, Walker, Wang, Wilson K, Wineberry, Winsley - 41.

Voting nay: Representatives Addison, Ballard, Barnes, Barrett, Basich, Betrozoff, Bond, Braddock, Bristow, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Grimm, Hankins, Hargrove, Hastings, Holland, Isaacson, King J, Kremen, Lewis, Locke, Long, Lundquist, May, Miller, Nealey, Nelson G, Nutley, Padden, Patrick, Peery, Prince, Sanders, Sayan, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Taylor, Thomas, Tilly, van Dyke, Vander Stoep, West, Williams B, Williams J, Wilson S, Zellinsky, and Mr. Speaker - 57.

Mr. Jacobsen moved adoption of the following amendment by Representatives Jacobsen, Holland and Cole to the Haugen amendment:

On page 8, line 3 insert the following:

"NEW SECTION, Sec. 8. A new section is added to chapter 28A.57 RCW to read as follows:

Each member of the board of directors of a school district with an enrollment of twenty thousand or more students shall receive compensation of fifty dollars per day or portion thereof, not to exceed four thousand eight hundred dollars per year, for attendance at board meetings and for performance of other services in behalf of the district.

Any director may waive all or any portion of his or her compensation payable under this section as to any month or months during his or her term in office, by a written waiver filed with the district as provided in this section. The waiver, to be effective, must be filed any time after the director's election and prior to the date on which the compensation would otherwise be paid. The waiver shall specify the month or period of months for which it is made.

Compensation as described herein shall not be the obligation of the state of Washington."

Representatives Jacobsen, Holland and Ebersole spoke in favor of the amendment to the amendment, and Representatives Zellinsky and Taylor spoke against it.

#### POINT OF INQUIRY

Mr. Jacobsen yielded to question by Mr. Barnes.

Mr. Barnes: "Representative Jacobsen, this amendments says, 'Each member of the board...shall receive compensation...' and beneath it says, 'Compensation...shall not be the obligation of the state of Washington.' Have you investigated the requirements of Initiative 62 and the effect it would have on this amendment?"

Mr. Jacobsen: "No, Representative Barnes, I haven't investigated Initiative 62. This language is identical to the other sections of the bill, they may waive it. They have the option of waiving. It says, 'shall' or 'may' waive and then the compensation would come out of local levy funds. The example I would use is that the cost is like a bill I'm proposing that a school board district be paid \$24,000 a year and that worked out at fifty cents per child per year. I thought that was a very reasonable price."

Representatives Barnes and Schoon spoke against the amendment to the amendment, and Mr. Ebersole spoke again in favor of it.

Mr. Crane demanded the previous question and the demand was sustained.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Jacobsen to the Haugen amendment, and the amendment was not adopted by the following vote: Yeas, 43; nays, 55.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Belcher, Brekke, Cole, Crane, Dellwo, Ebersole, Fisch, Fisher, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Leonard, Long, Lux, McMullen, Nelson D, Niemi, Nutley, O'Brien, Rust, Sayan, Scott, Sommers, Tanner, Todd, Unsoeld, Valle, Van Luven, Vander Sloep, Walk, Walker, Wang, Wilson K, Wineberry, Winsley - 43.

Voting nay: Representatives Ballard, Barnes, Barrett, Basich, Baugher, Betzoff, Bond, Braddock, Bristow, Brooks, Brough, Chandler, Day, Dobbs, Doty, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Isaacson, Kremen, Lewis, Locke, Lundquist, Madsen, May, Miller, Nealey, Nelson G, Padden, Patrick, Peery, Prince, Rayburn, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Sutherland, Taylor, Thomas, Tilly, van Dyke, Vekich, West, Williams B, Williams J, Wilson S, Zellinsky, and Mr. Speaker - 55.

The Speaker stated the question before the House to be the amendment by Representative Haugen as amended.

Representatives Haugen and Lundquist spoke in favor of the amendment.

## POINT OF INQUIRY

Ms. Haugen yielded to question by Mr. Lux.

Mr. Lux: "Representative Haugen, Representative Ebersole piqued my interest when he mentioned something about equity with school board members. Do most of these district meetings transpire at night? Or are they day meetings? Do these take away from their jobs or how do most of these fire districts and sewer districts and water districts and irrigation districts and port districts and so on meet?"

Ms. Haugen: "I couldn't tell you for sure; I think it's depending on the district."

Mr. Lux: "So the bigger ones meet during the day and the little ones meet during the night?"

Ms. Haugen: "I would say some of the water district commissioners probably meet in the middle of the night when the water mains break."

Mr. Lux: "But they all get the same salary?"

Ms. Haugen: "Yes."

Ms. Miller spoke in favor of the amendment.

The amendment as amended was adopted.

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

## MOTION

On motion of Mr. Appelwick, the House advanced to the seventh order of business.

## THIRD READING

ENGROSSED HOUSE BILL NO. 116, by Representatives Belcher, Niemi, Unsoeld, Vekich, Walk, Peery, Kremen, McMullen, Fisch and Rayburn

Requiring that seniority determine salary increases, layoffs, and rehiring of state employees; that ratio of management and direct service employees be maintained; and providing mobility between personnel systems.

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

Ms. Belcher spoke in favor of passage of the bill, and Representatives B. Williams, Hankins and Padden spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 116, and the bill passed the House by the following vote: Yeas, 56; nays, 42.

Voting yea: Representatives Allen, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vander Stoep, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 56.

Voting nay: Representatives Addison, Ballard, Barnes, Barrett, Betrozoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Walker, West, Williams B, Williams J, Wilson S - 42.

Engrossed House Bill No. 116, having received the 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. 852, by Committee on Judiciary (originally sponsored by Representatives Wang, Winsley, Tanner, K. Wilson and Brough)

Revising procedures for children's testimony in cases of sexual abuse.

The bill was read the third time.

On motion of Mr. J. King, the rules were suspended and Substitute House Bill No. 852 was returned to second reading for amendment.

On motion of Mr. Wang, the following amendment by Representatives Wang, Niemi and West was adopted:

On page 4, line 3 after "act." strike the remainder of section 5 and insert "either party may call the child to testify, and the opposing party may cross-examine the child."

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

Representatives Wang and West spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 852, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Engrossed Substitute House Bill No. 852, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

There being no objection, the House reverted to the fifth order of business.

#### REPORTS OF STANDING COMMITTEES

March 13, 1985

SSB 3068

Prime Sponsor, Committee on Transportation: Providing for a special movement permit decal for mobile homes. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Wineberry, Vice Chair; Fisch, Fisher, Gallagher, Hankins, Haugen, Lundquist, McMullen, Patrick, Prince, C. Smith, Sutherland, Thomas, Valle, Van Luven, J. Williams, K. Wilson and Zellinsky.

Voting nay: Representatives Baugher and Kremen.

Absent: Representatives Betrozoff, Bond, Brough, Gallagher, Lundquist, McMullen and C. Smith.

Passed to Committee on Rules for second reading.

March 13, 1985

SB 3121 Prime Sponsor, Senator Granlund: Authorizing DOT activities to receive federal funds. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Wineberry, Vice Chair; Baugher, Fisch, Fisher, Gallagher, Hankins, Haugen, Kremen, Lundquist, McMullen, Patrick, Prince, Schmidt, C. Smith, Sutherland, Tanner, Thomas, Valle, Van Luven, J. Williams, K. Wilson and Zellinsky.

Absent: Representatives Betrozoff, Bond, Brough, Gallagher, Lundquist, McMullen and C. Smith.

Passed to Committee on Rules for second reading.

March 13, 1985

SSB 3122 Prime Sponsor, Committee on Transportation: Permitting the DOT to deliver plans and specifications for bid proposals without advance payment or written request. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Wineberry, Vice Chair; Baugher, Fisch, Fisher, Gallagher, Hankins, Haugen, Kremen, Lundquist, McMullen, Patrick, Prince, Schmidt, C. Smith, Tanner, Thomas, Valle, Van Luven, J. Williams, K. Wilson and Zellinsky.

Absent: Representatives Betrozoff, Bond, Brough, Gallagher, Lundquist, C. Smith and Sutherland.

Passed to Committee on Rules for second reading.

March 14, 1985

SSB 3131 Prime Sponsor, Committee on Natural Resources: Permitting the sale or transfer of dredge spoil or materials from certain rivers free of any interest of the department of natural resources. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Basich, Cole, Dobbs, Hargrove, Haugen, Lundquist, McMullen, D. Nelson, Sanders, Sayan, Thomas and van Dyke.

Absent: Representatives Belcher, Fuhrman, Hankins, Leonard, Lundquist, McMullen, Sanders, J. Williams and S. Wilson.

Passed to Committee on Rules for second reading.

March 14, 1985

SB 3368 Prime Sponsor, Senator Thompson: Revising provisions relating to the sale of salmon. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Sutherland, Chair; Basich, Cole, Dobbs, Hargrove, Haugen, Lundquist, McMullen, D. Nelson, Sanders, Sayan, Thomas and van Dyke.

Absent: Representatives Belcher, Fuhrman, Hankins, Leonard, Sanders, J. Williams and S. Wilson.

Passed to Committee on Rules for second reading.

#### STATEMENT FOR THE JOURNAL

Due to a meeting on March 14 which ran overtime, I missed votes on EHB 542, HB 102, SHB 376, SHB 444, HB 657, HB 458 and HB 351. Please record in the Journal that had I been present to vote, I would have voted "Yes" on these bills.

BRUCE ADDISON, 34th District.

## MOTION

On motion of Mr. J. King, the House adjourned until 9:30 a.m., Friday, March 15, 1985.

DENNIS L. HECK, Chief Clerk

WAYNE EHLERS, Speaker



## SIXTY-FIRST DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Friday, March 15, 1985.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Troy Holland and Chris Blunt. Prayer was offered by Father Joe Maguire, Rector of Bellarmine Jesuit House in Tacoma.

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

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

## THIRD READING

HOUSE BILL NO. 1094, by Representatives L. Smith, Dellwo, Brooks, Schmidt, Rayburn and Bond

Expanding eligibility for issuance of identicards.

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

Ms. L. Smith spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1094, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

House Bill No. 1094, having received the 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. 12, by Representatives Thomas, Smitherman, Cole, Madsen, Walker, Scott, Lundquist, Basich, Leonard, Dobbs, Bristow, Brooks, S. Wilson, Taylor, Schmidt, J. Williams, Grimm, Vekich, Allen, Kremen, Van Luven, Todd, Winsley, P. King, Tanner, C. Smith and Silver

Requesting Congress to retain the small business administration.

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

Representatives Thomas and Smitherman spoke in favor of passage of the memorial, and Representatives Niemi, Barnes and Nealey spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 12, and the memorial failed to pass the House by the following vote: Yeas, 49; nays, 49.

Voting yea: Representatives Addison, Ballard, Barrett, Basich, Betrozoff, Bond, Bristow, Brooks, Brough, Cole, Doty, Fuhrman, Gallagher, Hankins, Hargrove, Hastings, Haugen, Isaacson, Jacobsen, King P, Lewis, Long, Lundquist, Madsen, May, Miller, Nelson G, O'Brien, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman,

Tanner, Taylor, Thomas, Tilly, Vander Stoep, Walker, Williams B, Williams J, Wilson S, Zellinsky - 49.

Voting nay: Representatives Allen, Appelwick, Armstrong, Barnes, Baugher, Belcher, Braddock, Brekke, Chandler, Crane, Day, Dellwo, Dobbs, Ebersole, Fisch, Fisher, Grimm, Hine, Holland, King J, King R, Kremen, Leonard, Locke, Lux, McMullen, Nealey, Nelson D, Niemi, Nutley, Peery, Rayburn, Rust, Sayan, Sommers, Sutherland, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vekich, Walk, Wang, West, Wilson K, Wineberry, Winsley, and Mr. Speaker - 49.

House Joint Memorial No. 12, having failed to receive the constitutional majority, was declared lost.

#### NOTICE OF RECONSIDERATION

Mr. Barnes, having voted on the prevailing side, served notice that he would, on the next working day, move for reconsideration of the vote by which House Joint Memorial No. 12 failed to pass the House.

SUBSTITUTE HOUSE BILL NO. 375, by Committee on Ways & Means (originally sponsored by Representatives Tilly, Sommers, B. Williams, Grimm, Braddock, Patrick, Silver, Winsley, Addison, Miller and Isaacson)

Revising provisions relating to unfunded retirement system liability.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 375, and the bill passed the House by the following vote: Yeas, 89; nays, 9.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Ebersole, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, King J, King P, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson G, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 89.

Voting nay: Representatives Baugher, Doty, Fisch, Fisher, Jacobsen, King R, Nelson D, Niemi, Wang - 9.

Substitute House Bill No. 375, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SPEAKER'S PRIVILEGE (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding) announced that in recognition of St. Patrick's Day, Father Joe Maguire would sing.

Father Maguire sang "Danny Boy" and "When Irish Eyes Are Smiling."

SUBSTITUTE HOUSE BILL NO. 378, by Committee on Ways & Means (originally sponsored by Representatives Sommers, Tilly, Wang, B. Williams, Grimm, Braddock, Patrick, Silver, Winsley, Basich, Miller, Isaacson and Brekke)

Requiring funding of cost of living retirement adjustments.

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

Representatives Sommers and J. King spoke in favor of passage of the bill, and Representatives Doty and R. King spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 378, and the bill passed the House by the following vote: Yeas, 86; nays, 12.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Baugher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dobbs, Ebersole, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, King J, King P, Kremen, Leonard, Locke, Long, Lundquist, Madsen, May, McMullen, Miller, Nealey, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Schmidt, Schoon, Scott, Silver, Smith C, Smith L,

Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 86.

Voting nay: Representatives Basich, Belcher, Dellwo, Doty, Fisch, Jacobsen, King R, Lewis, Lux, Nelson D, Sayan, Unsoeld - 12.

Substitute House Bill No. 378, having received the 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 SECOND SUBSTITUTE HOUSE BILL NO. 930, by Committee on Ways & Means (originally sponsored by Representatives Leonard, Brekke, Locke, Wineberry, Winsley, D. Nelson, Lewis, Lux, Brooks, Ebersole, Cole, Allen, Braddock, Armstrong, K. Wilson, Niemi, Valle, Miller, Addison, Scott, R. King, Isaacson and Wang)

Establishing a pilot project to provide social and health services to urban "street kids."

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

Representatives Leonard, Wineberry and Brekke spoke in favor of passage of the bill and Mr. Lewis spoke against it.

Ms. Leonard spoke again in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 930, and the bill passed the House by the following vote: Yeas, 84; nays, 14.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lux, May, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, Williams B, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 84.

Voting nay: Representatives Baugher, Bond, Dobbs, Doty, Fuhrman, Hastings, Lewis, Lundquist, Madsen, Nealey, Padden, West, Williams J, Wilson K - 14.

Engrossed Second Substitute House Bill No. 930, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

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

#### RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 85-34, by Representatives Scott, Jacobsen, Grimm, Wang, Leonard, J. King and P. King

WHEREAS, The Legislature finds that demographic, economic and social trends underlie an increased demand for child care services in the State of Washington; and

WHEREAS, This increase in the demand for child care services and diminishing governmental support have brought about an urgent need to improve the availability, affordability and quality of child care services in the state; and

WHEREAS, It is important that the State of Washington establish a child care policy with the following principles:

(1) To foster a partnership between the public and private sectors to implement that policy;

(2) To maintain and support a variety of child care services;

(3) To recognize and support the primary role of the family in making child care decisions, and to encourage parents to participate fully in all phases of planning for and providing of child care;

(4) To establish and enforce high standards for quality of service, training of child care providers, monitoring of facilities and safety of children;

(5) To assure equal access to quality child care services to all families, regardless of income; and

(6) To promote broad community and private sector support for child care services, as part of a state commitment to families and children;

NOW, THEREFORE, BE IT RESOLVED, That the Social and Health Services Committee of the House of Representatives undertake an interim study in light of the principles set forth above and evaluate the following issues to determine the appropriate state role to be taken regarding child care services:

(1) The allocation of funds to nonprofit groups for the purpose of establishing local child care resource and referral centers and the establishment of eligibility guidelines for funding.

(2) The establishment of an office of child care advocacy within the Department of Commerce and Economic Development to advocate for quality child care in the state and to help foster a partnership of public and private interests in order to improve child care services.

(3) Requiring the State Board of Education to establish policy to use available school facilities, whenever feasible, for educational or recreational programs for school-age children of working parents during the hours before and after school.

(4) The establishment of a revolving loan fund for the purpose of providing loans to small businesses to defray start-up costs associated with providing child care facilities for employees as a pilot project under the administration of the Director of Commerce and Economic Development.

(5) Requiring all state agencies if constructing a new public building, doing major renovation on an existing building or leasing a building in which fifty or more state employees will work, to study the feasibility of and the potential demand for sufficient and appropriate areas for day care facilities.

(6) Requiring the Department of Personnel to undertake a study of potential costs and benefits of providing state employees flexible working arrangements and family-oriented leave policies. The study shall evaluate existing and proposed policies in order to determine how the state can become a model employer.

(7) Requiring the Department of Social and Health Services to undertake a study to evaluate the adequacy of financial assistance to low-income parents with child care needs.

(8) Requiring the Superintendent of Public Instruction to:

(a) Provide technical assistance, when requested, to school districts which operate a program for assessments of students' readiness to attend school and to maintain a list of the assessment programs throughout the state and distribute the list to school districts without programs;

(b) Establish an office of early childhood education;

(c) Create a preschool advisory committee to review policy issues relating to providing quality preschool programs in the state; and

(d) Design and conduct a pilot program in ten half-day kindergarten classes and ten first grade classes to assess the impact of using instructional assistants to aid certificated personnel.

(9) Establish a preschool state education and assistance program as a voluntary enrichment program to help prepare some children to enter the common school system, including:

(a) Administration by the Department of Community Development;

(b) State funding for approved preschool programs;

(c) Establishment of an advisory committee;

(d) Adoption of rules under chapter 34.04 RCW;

(e) A report from the Governor on the merits of continuing and expanding the preschool program or providing other means of providing early childhood development assistance; and

(f) Increasing the numbers of eligible children assisted by the federal or state-supported preschool programs by at least five thousand children, especially those "at risk."

(10) Requiring parent education programs in selecting child care providers and becoming more involved in their children's day care programs.

(11) Requiring child care/day care provider training aimed at improving the quality of day care in the state.

BE IT FURTHER RESOLVED, That the committee shall report the results of the study to the Legislature by January 1, 1986.

Mr. Scott moved adoption of the resolution.

Ms. L. Smith moved adoption of the following amendment:

Strike all language following "P. King" and insert:

"BE IT RESOLVED, That the Social and Health Services Committee of the House of Representatives undertake an interim study to determine the appropriate state role to be taken regarding child care services."

Representatives L. Smith, Padden, Barnes, Sanders and Dobbs spoke in favor of the amendment, and Representatives Leonard, Jacobsen and Brekke spoke against it.

Representatives Barnes and L. Smith spoke again in favor of the amendment to the resolution.

A division was called.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative L. Smith to House Floor Resolution No. 85-34, and the amendment was not adopted by the following vote: Yeas, 47; nays, 51.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Baugher, Betrozoff, Bond, Brooks, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hargrove, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, Madsen, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Sloep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 47.

Voting nay: Representatives Appelwick, Armstrong, Basich, Belcher, Braddock, Brekke, Bristow, Brough, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 51.

Mr. Barrett moved adoption of the following amendment:

On page 1 in the "NOW, THEREFORE BE IT RESOLVED" paragraph beginning with subsection (1), strike all material through subsection (11) on page 3.

Mr. Barrett spoke in favor of the amendment, and Ms. Leonard spoke against it.

#### POINT OF INQUIRY

Ms. Belcher yielded to question by Mr. Sanders.

Mr. Sanders: "Representative Belcher, on page 2 of this resolution, (5), it says, 'Requiring all state agencies if constructing a new public building, doing major renovation on an existing building, or leasing a building....' look for '...appropriate areas for day care facilities.' That's a quote from a bill that's before the State Government Committee. Do you plan on also studying that issue during the interim?"

Ms. Belcher: "It would not be my plan to do a separate study of the issue, no. I'm assuming the issue will be covered in this resolution. I've met with the Chair of the Social & Health Services Committee, and it was the understanding that her committee would include that as part of the study."

Mr. Sanders: "Now this bill is still before the State Government Committee, so we would have an active bill before the State Government Committee, but we would also have the same issue in front of the Social & Health Services Committee?"

Ms. Belcher: "It is my understanding that bill died because it did not move out of committee on Friday, so I don't consider that an active bill."

Mr. Sanders: "Isn't that bill active for two years? It doesn't die until it's voted down and until a new legislature is elected."

## SPEAKER'S ADMONITION (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "I don't think the question has anything to do with this resolution. If you want to talk about the amendment, go ahead. This amendment is actually out of order, but go ahead and talk about it."

## POINT OF ORDER

Mr. Barrett: "I ask the reason for your comment just now that the amendment is out of order."

The Speaker (Mr. O'Brien presiding): "Why? We didn't stop you; we didn't raise a point of order when this amendment was raised, but the House had already acted to hold this language when the amendment to strike it all failed. Under Reed's Rules we are allowing it because it wasn't timely raised. We are allowing you to discuss the amendment."

Mr. Sanders spoke in favor of the amendment.

The amendment was not adopted.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the adoption of House Resolution No. 85-34.

Representatives Scott, Brekke and Brough spoke in favor of the resolution, and Representatives L. Smith, Lewis and Fuhrman spoke against it.

A division was called.

## ROLL CALL

The Clerk called the roll on adoption of House Floor Resolution No. 85-34, and the resolution was adopted by the following vote: Yeas, 56; nays, 42.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Bristow, Brough, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Miller, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 56.

Voting nay: Representatives Ballard, Barnes, Barrett, Basich, Baugher, Betzoff, Bond, Brooks, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S - 42.

HOUSE FLOOR RESOLUTION NO. 85-37, by Representatives Ehlers, S. Wilson, J. King, Barrett, Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, P. King, R. King, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, D. Nelson, G. Nelson, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, C. Smith, L. Smith, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Vander Stoep, van Dyke, Van Luven, Vekich, Walk, Walker, Wang, West, B. Williams, J. Williams, K. Wilson, Wineberry and Zellinsky

WHEREAS, Gordon W. Schultz is an esteemed member of the Capitol Press Corps; and

WHEREAS, Gordon W. Schultz co-founded the Lacey Leader newspaper and has contributed to journalism excellence in Washington for over twenty years; and

WHEREAS, Gordon W. Schultz has served with distinction as the Olympia Bureau Chief for the United Press International wire service; and

WHEREAS, Gordon W. Schultz's reports have greatly assisted the citizens of Washington in learning about and more fully understanding the issues, acts and actions of the State Legislature; and

WHEREAS, Since 1965 Gordon W. Schultz has fairly, conscientiously, accurately and impartially reported on the actions of the House of Representatives and its members; and

WHEREAS, The efforts of Gordon W. Schultz are greatly appreciated and highly valued by the public and the members of the House of Representatives; and

WHEREAS, Gordon W. Schultz has recently accepted a position as Special Assistant for Legislative Affairs and Public Relations in the Washington State Office of Financial Management; and

WHEREAS, The people of Washington and the members of the House of Representatives will miss the legislative reports of Gordon W. Schultz;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives recognize the many contributions of Gordon W. Schultz to his profession and the State; and

BE IT FURTHER RESOLVED, That the House of Representatives express its gratitude to Gordon W. Schultz for his role in informing the citizens of Washington about the important issues, acts and actions coming before the Legislature and the House of Representatives; and

BE IT FURTHER RESOLVED, That the House of Representatives extend its best wishes to Gordon W. Schultz in his new endeavors; and

BE IT FURTHER RESOLVED, That a copy of this Resolution be immediately presented to Gordon W. Schultz.

Mr. Ehlers moved adoption of the resolution. Representatives Ehlers, S. Wilson, Barrett, Bond, Taylor, Hastings, Prince, Vander Stoep and Unsoeld spoke in favor of the resolution and it was adopted.

The Speaker (Mr. O'Brien presiding) declared the House to be recessed until 1:30 p.m.

#### AFTERNOON SESSION

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

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

#### THIRD READING

ENGROSSED SUBSTITUTE HOUSE JOINT RESOLUTION NO. 25, by Committee on Constitution, Elections & Ethics (originally sponsored by Representatives Fisher, Fisch, Leonard and Hargrove)

Providing for the alteration of counties.

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

Representatives Fisher and Barnes spoke in favor of the resolution.

#### POINT OF INQUIRY

Mr. Fisch yielded to question by Mr. Lundquist.

Mr. Lundquist: "Representative Fisch, to clarify the situation, I would like you to respond to a two-part question. Those people who sign the petition to form a new county, are those people from the entire county or are they only the people from the county which is to be formed?"

Mr. Fisch: "Representative Lundquist, the measure provides that only the people from the area affected would sign the petition."

Mr. Lundquist: "That is only those people who reside within the county which is to be formed?"

Mr. Fisch: "That is correct. Those petitions, according to the amendment we voted on the other day, would be arranged by precincts and then it would be left to the legislature to decide what would be included in the new county. The legislature would draw the lines for the new county, taking into account, I would assume, whether or not there was much support for the new county according to the signatures."

Mr. Lundquist: "Those people who vote on the final referendum, or the final vote on the formation of the county, the people who vote would be those people who reside within the county which is to be formed?"

Mr. Fisch: "That is correct."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Joint Resolution No. 25, and the resolution passed the House by the following vote: Yeas, 82; nays, 13; absent, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Rust, Sanders, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Tilly, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Winsley, Zellinsky, and Mr. Speaker - 82.

Voting nay: Representatives Baugher, Betzoff, Dobbs, Fuhrman, Hastings, Lundquist, Nealey, Prince, Rayburn, Sayan, Thomas, van Dyke, Wilson S - 13.

Absent: Representatives Basich, Crane, Wineberry - 3.

Engrossed Substitute House Joint Resolution No. 25, having received the constitutional two-thirds majority, was declared passed.

There being no objection, the House reverted to the sixth order of business.

#### SECOND READING

HOUSE JOINT RESOLUTION NO. 30, by Representatives Grimm, Tilly, Sommers, B. Williams, Unsoeld, Schoon, Isaacson, May and Walker

Providing for state funding of pension liabilities.

The resolution was read the second time. On motion of Mr. Appelwick, Substitute House Joint Resolution No. 30 was substituted for House Joint Resolution No. 30, and the substitute resolution was placed on the calendar for second reading.

Substitute House Joint Resolution No. 30 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1061, by Representatives Rayburn, Nealey, Day, Lewis, Dellwo, Doty, Isaacson, Baugher, Tanner, Haugen, Ebersole, Armstrong and Wang

Establishing a trade assistance center.

The bill was read the second time. On motion of Mr. Appelwick, Substitute House Bill No. 1061 was substituted for House Bill No. 1061, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1061 was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1061, and the bill passed the House by the following vote: Yeas, 96; nays, 1; absent, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Sanders - 1.

Absent: Representative Basich - 1.



Substitute House Bill No. 1061, having received the 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. 837, by Representatives Hargrove, Dobbs, Fisch, Lundquist, Haugen, L. Smith, Tanner, Appelwick, Bristow, Niemi, Fuhrman, Braddock, Schoon, S. Wilson, Basich, P. King, Ballard, Isaacson and May

Establishing the center for international trade in forest products.

The bill was read the second time. On motion of Mr. McMullen, Substitute House Bill No. 837 was substituted for House Bill No. 837, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 837 was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Hargrove and Schoon spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 837, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 837, having received the 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. 1063, by Representatives Rayburn, C. Smith, McMullen, Vekich, West, Sayan, Hastings, Ballard, Lewis, Isaacson, Baugher, Kremen, Fuhrman, Nealey, J. Williams, Haugen and Armstrong

Authorizing a permanent international marketing program for agricultural commodities and trade impact center.

The bill was read the second time. On motion of Mr. McMullen, Substitute House Bill No. 1063 was substituted for House Bill No. 1063, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1063 was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Rayburn, Nealey and C. Smith spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Ms. Rayburn yielded to question by Mr. Schoon.

Mr. Schoon: "Representative Rayburn, there is nothing in the bill or in the program that would indicate the cost for this next biennium of this program. As prime sponsor of the bill, can you give me some idea what the cost expectation might be?"

Ms. Rayburn: "I remember during the testimony that the people who came from Washington State University did ask for a little over \$2 million. We did ask for a fiscal report in February, but we did not receive that. I did notice in the proposed budget from the governor, that he has allocated, or has asked for, \$1 million to be set aside for the center. I'm hoping that will be derived and see if they can work within those bounds."

Mr. Schoon spoke against passage of the bill, and Mr. Lundquist spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1063, and the bill passed the House by the following vote: Yeas, 97; nays, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Voting nay: Representative Schoon - 1.

Substitute House Bill No. 1063, having received the 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. 802, by Representatives Scott, Silver, McMullen, Lundquist, Appelwick, Schmidt, Wineberry and May

Declaring economic development programs with nonprofit corporations to be a public purpose for cities and counties.

The bill was read the second time. On motion of Mr. McMullen, Substitute House Bill No. 802 was substituted for House Bill No. 802, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 802 was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representative Scott spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Ms. Scott yielded to question by Mr. Sanders.

Mr. Sanders: "Representative Scott, section 3 says, 'It shall be in the public purpose for all port districts to engage in economic development programs....' Last year we had an attempt to put port districts into the motel business, authorizing them to build motels along the Columbia River, and that legislation was not adopted by this body. Is this an end-run to allow port districts to build motels?"

Ms. Scott: "That's not my understanding."

Mr. Schoon spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 802, and the bill passed the House by the following vote: Yeas, 97; nays, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Voting nay: Representative Fuhrman - 1.

Substitute House Bill No. 802, having received the 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. 738, by Representatives Vekich, J. King, McMullen, Tanner, Ebersole and Sayan

Establishing a community revitalization team.

The bill was read the second time. On motion of Mr. McMullen, Second Substitute House Bill No. 738 was substituted for House Bill No. 738, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 738 was read the second time.

Mr. Tilly moved adoption of the following amendment:

On page 5, line 23 strike all material through "void" on line 26.

Mr. Tilly spoke in favor of the amendment and Mr. McMullen spoke against it.

The amendment was not adopted.

Second Substitute House Bill No. 738 was passed to Committee on Rules for third reading.

HOUSE BILL NO. 855, by Representatives Wineberry, McMullen, Niemi, L. Smith, J. King, May, Lux, Schmidt, Smitherman, Dobbs, Vekich, Lundquist, Tanner, Rayburn, Kremen, Day, S. Wilson, Sayan and Wang

Establishing the Washington state development finance authority.

The bill was read the second time. On motion of Mr. McMullen, Substitute House Bill No. 855 was substituted for House Bill No. 855, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 855 was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Wineberry spoke in favor of passage of the bill, and Mr. Schoon spoke against it.

#### POINT OF INQUIRY

Mr. Wineberry yielded to question by Mr. Vander Stoep.

Mr. Vander Stoep: "Representative Wineberry, reading the definition of 'distressed areas' in this bill, I see that it says, distressed counties are those that have an unemployment rate which is twenty percent lower than the state average, and it says, '...an area within a county, which area is composed of contiguous census tracts, has a minimum population of five thousand persons, has at least seventy percent of its families and unrelated individuals with incomes below eighty percent of the county's median income for families and unrelated individuals, and has an unemployment rate which is at least forty percent higher than the county's unemployment rate.' I wonder if you could give some examples of where this language came from and to what areas of the state it might apply?"

Mr. Wineberry: "First of all, the language has come from an effort to define the distressed areas so that it will benefit the maximum number of poor and unemployment areas throughout the entire state without emphasizing rural areas to the exclusion of urban or vice versa. This definition would include areas in the southwest part of Washington, as well as in urban Seattle, and includes Spokane, as well as urban areas like Tacoma. It is a definition that does its best to include as many economically distressed areas with high unemployment, regardless of their population characteristics."

Mr. Vander Stoep: "The language at the beginning of the sections says, 'Unless the context clearly requires otherwise...' and then it goes on to describe the distressed areas. I'm wondering if this language is necessary, given that exemption, that allowance for the governor to define the distressed areas?"

Mr. Wineberry: "I believe it is because what we are doing is giving direction to some of the local municipalities as well as the very board that this legislation creates in terms of what areas will be earmarked for the loan."

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 855, and the bill passed the House by the following vote: Yeas, 69; nays, 29.

Voting yea: Representatives Addison, Appelwick, Armstrong, Barnes, Barrett, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Brooks, Brough, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Schoon, Scott, Smith L, Smitherman, Sommers, Sutherland, Tanner, Tilly, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 69.

Voting nay: Representatives Allen, Ballard, Betrozoff, Bond, Chandler, Dobbs, Fuhrman, Hastings, Holland, Isaacson, Lewis, Lundquist, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Silver, Smith C, Taylor, Thomas, van Dyke, Van Luven, Vander Stoep, West, Williams B, Williams J, Zellinsky - 29.

Substitute House Bill No. 855, having received the 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. 627, by Representatives Tanner, B. Williams, McMullen, Silver, Kremen, L. Smith, Vekich, Smitherman, Hargrove, Schoon, Day, Wineberry, Zellinsky, Haugen, Gallagher, Ebersole, Dellwo, Thomas, Winsley, G. Nelson, P. King, Wang, Long, Isaacson and May

Establishing the Washington state economic development board.

The bill was read the second time. On motion of Mr. Braddock, Second Substitute House Bill No. 627 was substituted for House Bill No. 627, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 627 was read the second time.

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

On page 6, beginning on line 11 strike all material through "void." on line 14 and insert the following:

"NEW SECTION, Sec. 10. The board shall implement this act only to the extent that funds are available."

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

Representatives Tanner and B. Williams spoke in favor of the bill.

## POINT OF INQUIRY

Mr. Tanner yielded to question by Mr. Tilly.

Mr. Tilly: "Representative Tanner, I'm concerned since there's no appropriation on this bill, would this mean that the Washington State Economic Development Board could still go forward with its work and mission and use other available funds?"

Mr. Tanner: "That's correct, Representative Tilly. The intent of the amendment and the bill as up for final passage is that this board shall go forward with its work with whatever funds might be available, even if there were no general fund appropriations made."

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 627, and the bill passed the House by the following vote: Yeas, 97; nays, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander

Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Voting nay: Representative Fuhrman - 1.

Engrossed Second Substitute House Bill No. 627, having received the 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. 943, by Representatives Scott, Appelwick and Crane

Establishing a Washington technology exchange.

The bill was read the second time.

#### POINT OF ORDER

Mr. Tilly: "I would like you to rule on the appropriateness of this measure being before us, Mr. Speaker, looking at House Rule 25(d)(6)."

#### SPEAKER'S RULING

The Speaker: "Representative Tilly, Rule 25(6) reads, 'All bills having a direct negative revenue impact or a direct appropriation of fifty thousand dollars or more shall be referred to the ways and means committee or transportation committee as appropriate before their final passage.' If, in fact, an appropriation was on this when it is up for third reading and final passage, then your point would be well taken. This is second reading."

#### MOTION

Mr. Tilly moved that House Bill No. 943 be rereferred to Committee on Ways & Means.

Representatives Tilly and Schoon spoke in favor of the motion, and Representative J. King spoke against it.

Mr. Tilly spoke again in favor of the motion.

Mr. Barrett demanded an oral roll call vote and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the motion that House Bill No. 943 be rereferred to Committee on Ways & Means, and the motion was lost by the following vote: Yeas, 45; nays, 53.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 45.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 53.

The House resumed consideration of the bill on second reading. Committee on Trade & Economic Development recommendation: Majority, do pass with the following amendment:

On page 1, line 15 after "created" insert ", within the department of commerce and economic development."

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

Mr. Dobbs moved adoption of the following amendment:

On page 1, line 16 following "entrepreneurs" insert "in those instances where the director is able to make written findings of fact that the private sector is unwilling or unable to facilitate such exchanges"

Mr. Dobbs spoke in favor of the amendment, and Mr. McMullen spoke against it.

A division was called.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Dobbs to House Bill No. 943, and the amendment was not adopted by the following vote: Yeas, 44; nays, 54.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S - 44.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 54.

Mr. Braddock moved adoption of the following amendment:

On page 3, beginning on line 1, strike all material through "act." on line 5 and insert the following:

"NEW SECTION. Sec. 8. If specific funding for the purposes of this act, referencing this act by bill number, is not provided in the omnibus appropriations act enacted before July 1, 1985, this act shall be null and void."

Representatives Braddock and Tilly spoke in favor of the amendment, and it was adopted.

On motion of Mr. Braddock, the following amendment to the title was adopted: On page 1, line 2 of the title strike "making an appropriation;" and insert "creating a new section;"

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

HOUSE BILL NO. 461, by Representatives Kremen, Schoon, Unsoeld, Barrett, Braddock, Hargrove, Tanner, J. King, McMullen and P. King

Modifying provisions on loans and grants to political subdivisions for public facilities.

The bill was read the second time. On motion of Mr. McMullen, Substitute House Bill No. 461 was substituted for House Bill No. 461, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 461 was read the second time.

The Clerk read the following amendments by Representative Silver:

On page 3, line 6 after "(and)" strike all material through "act" on line 9.

On page 3, line 13 after "sess." strike all material through "~~43-83-184~~" on line 15 and insert "shall be deposited in the general fund as reimbursement for debt service payments on the bonds authorized in RCW 43.83.184."

With the consent of the House, Ms. Silver withdrew the amendments.

Mr. McMullen moved adoption of the following amendment:

On page 2, beginning on line 34 strike all of section 2 and renumber the remaining sections consecutively.

Representatives McMullen and Silver spoke in favor of the amendment, and it was adopted.

On motion of Ms. Silver, the following amendment was adopted:

On page 4, line 10 after "members" strike all material through "committee" on line 12 and insert "Legislative members shall be chosen by the leader of their respective caucuses"

Mr. McMullen moved adoption of the following amendment:

On page 6, beginning on line 2 strike all of section 7.

Mr. McMullen spoke in favor of the amendment.

## POINT OF INQUIRY

Mr. McMullen yielded to question by Mr. Sanders.

Mr. Sanders: "Representative McMullen, you just said that you wanted to delete section 7 and leave it to the Ways and Means Committee. It looks like section 7 would be an executive branch function. We, in the Ways and Means Committee, have nothing to do with transferring money from one account to another. I don't quite understand your last comment."

Mr. McMullen: "Representative Sanders, under the old Economic Assistance Authority there were moneys that were to be repaid by way of loan. There are some moneys left in that account. The purpose of the original bill was to take those moneys and put them into CERB and we are saying, no, leave the moneys there and Ways and Means can make that decision in that committee."

The amendment was adopted.

On motion of Mr. McMullen, the following amendment to the title was adopted: On page 1, line 2 of the title strike "43.160.080."

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

Representatives Kremen and Silver spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 461, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Loven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

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

HOUSE BILL NO. 863, by Representatives Kremen, Walk, Thomas, Schmidt, Tanner and May

Funding transportation improvements necessitated by planned economic development.

The bill was read the second time. On motion of Mr. Walk, Substitute House Bill No. 863 was substituted for House Bill No. 863, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 863 was read the second time.

Mr. Walk moved adoption of the following amendment by Representatives Walk and Schmidt:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 43.160 RCW to read as follows:

The legislature recognizes that in order to attract new industry to the state of Washington, and to encourage significant expansion of industries already here, it is often necessary to construct or improve public works facilities. To that end, the legislature, in 1982, created the community economic revitalization board and subsequently established a program of loans and grants to political subdivisions to enable construction and improvement of such facilities. This program has made a significant contribution toward stimulating economic development within the state.

The legislature now finds that the state's economic development efforts can be further enhanced by, in certain instances, providing funds to improve state highways in the vicinity of

new industries considering locating in this state or existing industries that are considering significant expansion.

The legislature finds it desirable to provide a process whereby the need for diverse public works improvements necessitated by planned economic development can be addressed in a timely fashion and with coordination among all responsible governmental entities.

It is the intent of the legislature to create an economic development account within the motor vehicle fund from which expenditures can be made by the department of transportation for state highway improvements necessitated by planned economic development. All such improvements must first be approved by the state transportation commission and the community economic revitalization board in accordance with the procedures established by sections 5 and 6 of this act. It is further the intent of the legislature that such improvements not jeopardize any other planned highway construction projects. The improvements are intended to be of limited size and cost, and to include such items as additional turn lanes, signalization, illumination, and safety improvements.

Sec. 2. Section 3, chapter 40, Laws of 1982 1st ex. sess. as amended by section 2, chapter 60, Laws of 1983 1st ex. sess. and RCW 43.160.030 are each amended to read as follows:

(1) The community economic revitalization board is hereby created to exercise the powers granted under this chapter.

(2) The board shall consist of ~~((nine))~~ eleven persons appointed by the governor and the director of commerce and economic development, the director of ~~((planning and community affairs))~~ community development, the director of revenue, the commissioner of employment security, ~~((and))~~ the secretary of the department of transportation, and the chairmen of the committee on ~~((commerce))~~ trade and economic development of the house of representatives and the committee on commerce and labor of the senate, or the equivalent standing committees~~((; for a total of seventeen members))~~. The appointive members shall be as follows: A recognized private or public sector economist selected from the governor's council of economic advisors; one port district official; one county official; one city official; one representative of the public; one representative of small businesses each from: (a) The area west of Puget Sound, (b) the area east of Puget Sound and west of the Cascade range, (c) the area east of the Cascade range and west of the Columbia river, and (d) the area east of the Columbia river; one executive from large businesses each from the area west of the Cascades and the area east of the Cascades. The appointive members shall initially be appointed to terms as follows: Three members for one-year terms, three members for two-year terms, and three members for three-year terms which shall include the chairman. Thereafter each succeeding term shall be for three years. The representative from the governor's council of economic advisors shall serve as chairman of the board. The director of the department of commerce and economic development shall serve as vice chairman.

(3) Staff support shall be provided by the department of commerce and economic development.

(4) All appointive members of the board shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060 as now or hereafter amended.

(5) If a vacancy occurs by death, resignation, or otherwise of appointive members of the board, the governor shall fill the same for the unexpired term. Any members of the board, appointive or otherwise, may be removed for malfeasance or misfeasance in office, upon specific written charges by the governor, under chapter 34.04 RCW.

Sec. 3. Section 3, chapter 40, Laws of 1982 1st ex. sess. as last amended by section 89, chapter 287, Laws of 1984 and by section 2 of this act and RCW 43.160.030 are each reenacted to read as follows:

(1) The community economic revitalization board is hereby created to exercise the powers granted under this chapter.

(2) The board shall consist of eleven persons appointed by the governor and the director of commerce and economic development, the director of community development, the director of revenue, the commissioner of employment security, the secretary of the department of transportation, and the chairmen of the committee on trade and economic development of the house of representatives and the committee on commerce and labor of the senate, or the equivalent standing committees. The appointive members shall be as follows: A recognized private or public sector economist selected from the governor's council of economic advisors; one port district official; one county official; one city official; one representative of the public; one representative of small businesses each from: (a) The area west of Puget Sound, (b) the area east of Puget Sound and west of the Cascade range, (c) the area east of the Cascade range and west of the Columbia river, and (d) the area east of the Columbia river; one executive from large businesses each from the area west of the Cascades and the area east of the Cascades. The appointive members shall initially be appointed to terms as follows: Three members for one-year terms, three members for two-year terms, and three members for three-year terms which shall include the chairman. Thereafter each succeeding term shall be for three years. The representative from the governor's council of economic advisors shall serve as chairman of the board. The director of the department of commerce and economic development shall serve as vice chairman.



(3) Staff support shall be provided by the department of commerce and economic development.

(4) All appointive members of the board shall be compensated in accordance with RCW 43.03.240 and shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060.

(5) If a vacancy occurs by death, resignation, or otherwise of appointive members of the board, the governor shall fill the same for the unexpired term. Any members of the board, appointive or otherwise, may be removed for malfeasance or misfeasance in office, upon specific written charges by the governor, under chapter 34.04 RCW.

NEW SECTION. Sec. 4. A new section is added to chapter 43.160 RCW to read as follows:

Each agency head of an executive branch agency who is appointed to the community economic revitalization board under RCW 43.160.030 may designate an agency employee to take his or her place on the board for meetings in which the agency head will be absent. The designee has all powers to vote and participate in board deliberations as have the other board members.

NEW SECTION. Sec. 5. A new section is added to chapter 43.160 RCW to read as follows

(1) An application to the board from a political subdivision may also include a request for improvements to an existing state highway or highways. The application is subject to all of the applicable criteria relative to qualifying types of development set forth in this chapter, as well as procedures and criteria established by the board.

(2) Before board consideration of an application from a political subdivision that includes a request for improvements to an existing state highway or highways, the application shall be forwarded by the board to the transportation commission.

(3) The board may not make its final determination on any application made under subsection (1) of this section before receiving approval, conditional approval, or disapproval from the transportation commission as specified in section 6 of this act. Notwithstanding its disposition of the remainder of any such application, the board may not approve a request for improvements to an existing state highway or highways without the approval or conditional approval of the transportation commission as specified in section 6 of this act.

(4) The board shall notify the transportation commission of its decision regarding any application made under this section.

NEW SECTION. Sec. 6. A new section is added to chapter 47.01 RCW to read as follows:

(1) Upon receiving an application for improvements to an existing state highway or highways pursuant to section 5 of this act from the community economic revitalization board, the transportation commission shall, in a timely manner, determine whether or not the proposed state highway improvements:

(a) Meet the safety and design criteria of the department of transportation;

(b) Will impair the operational integrity of the existing highway system;

(c) Will affect any other improvements planned by the department; and

(d) Will be consistent with its policies developed pursuant to RCW 47.01.071.

(2) Upon completion of its determination of the factors contained in subsection (1) of this section and any other factors it deems pertinent, the transportation commission shall forward its approval, conditional approval, or disapproval of the proposed improvements to the board, along with any recommendation it may wish to make concerning the desirability and feasibility of the proposed development. If the transportation commission disapproves any proposed improvements, it shall specify its reasons for disapproval.

(3) Upon notification from the board of an application's approval pursuant to section 5 of this act, the transportation commission shall direct the department of transportation to carry out the improvements in coordination with the applicant.

(4) The transportation commission shall notify the legislative transportation committee of all state highway improvements to be carried out pursuant to sections 5 and 6 of this act.

(5) All state highway improvements that are approved pursuant to sections 5 and 6 of this act shall be charged to the economic development account of the motor vehicle fund created by RCW 47.10.803.

Sec. 7. Section 1, chapter 316, Laws of 1981 as amended by section 1, chapter 19, Laws of 1982 and RCW 47.10.801 are each amended to read as follows:

(1) In order to provide funds necessary for the location, design, right of way, and construction of selected interstate and other state highway improvements, there shall be issued and sold, subject to subsections (2) and (3) of this section, upon the request of the Washington state transportation commission a total of four hundred (~~fifty~~) sixty million dollars of general obligation bonds of the state of Washington for the following purposes and specified sums:

(a) Not to exceed two hundred twenty-five million dollars to pay the state's share of costs for federal-aid interstate highway improvements and until December 31, (~~1985~~) 1989, to temporarily pay the regular federal share of construction of federal-aid interstate highway improvements to complete state routes 82, 90, 182, and 705 in advance of federal-aid apportionments under the provisions of 23 U.S.C. Secs. 115 or 122; PROVIDED, That the total amount of bonds issued to temporarily pay the regular federal share of construction of federal-aid interstate highways in advance of federal-aid apportionments as authorized by this section and

RCW 47.10.790 shall not exceed one hundred twenty million dollars: PROVIDED FURTHER, That the transportation commission shall consult with the legislative transportation committee prior to the adoption of plans for the obligation of federal-aid apportionments received in federal fiscal year 1985 and subsequent years to pay the regular federal share of federal-aid interstate highway construction projects or to convert such apportionments under the provisions of 23 U.S.C. Secs. 115 or 122;

(b) Two hundred twenty-five million dollars for major transportation improvements throughout the state that are identified as category C improvements and for selected major non-interstate construction and reconstruction projects that are included as Category A Improvements in RCW 47.05.030;

(c) Ten million dollars for state highway improvements necessitated by planned economic development, as determined through the procedures set forth in sections 5 and 6 of this act.

(2) The amount of bonds authorized in subsection (1)(a) of this section shall be reduced if the transportation commission, in consultation with the legislative transportation committee, determines that any of the bonds that have not been sold are no longer required.

(3) The amount of bonds authorized in subsection (1)(b) of this section shall be increased by an amount not to exceed, and concurrent with, any reduction of bonds authorized under subsection (1)(a) of this section in the manner prescribed in subsection (2) of this section.

Sec. 8. Section 3, chapter 316, Laws of 1981 and RCW 47.10.803 are each amended to read as follows:

The proceeds from the sale of the bonds authorized by RCW 47.10.801(1) (a) and (b) shall be deposited in the motor vehicle fund(~~and~~). The proceeds from the sale of the bonds authorized by RCW 47.10.801(1)(c) shall be deposited in the economic development account of the motor vehicle fund, hereby created. All such proceeds shall be available only for the purposes enumerated in RCW 47.10.801, for the payment of bond anticipation notes, if any, and for the payment of the expense incurred in the drafting, printing, issuance, and sale of such bonds.

NEW SECTION. Sec. 9. The sum of ten million dollars, or so much thereof as may be necessary, is appropriated from the economic development account of the motor vehicle fund to the department of transportation for the biennium ending June 30, 1987, to carry out the provisions of sections 5 and 6 of this act and RCW 47.10.801(1)(c). However, the money available for expenditure under this appropriation may not exceed the amount of money derived from the sale of bonds, and interest earned thereon, authorized by RCW 47.10.801(1)(c) and deposited to the credit of the economic development account of the motor vehicle fund.

NEW SECTION. Sec. 10. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the entire act and the application of the provision to other persons or circumstances is invalid and of no further force and effect.

NEW SECTION. Sec. 11. Section 11, chapter 316, Laws of 1981 and RCW 47.10.810 are each hereby repealed.

NEW SECTION. Sec. 12. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately, except for section 3 of this act, which shall take effect July 1, 1985."

On motion of Ms. Schmidt, the following amendments by Representatives Schmidt and Walk to the striking amendment were adopted:

On page 3, line 13 strike "the chairmen" and insert "~~((the chairmen))~~ a majority member and a minority member"

On page 3, line 16 following "and" insert "a majority member and a minority member"

On page 3, line 19 insert "Legislative members shall be chosen by the leader of their respective caucus."

On page 5, line 13 strike "the chairmen" and insert "~~((the chairmen))~~ a majority member and a minority member"

On page 5, line 16 following "and" insert "a majority member and a minority member"

On page 7, line 33 following "approval," strike "conditional approval," and insert "as submitted or amended"

On page 8, line 4 following "approval" strike "or conditional approval," and insert "as submitted or amended"

On page 9, line 5 following "approval" strike "conditional approval," and insert "as submitted or amended"

The Speaker stated the question before the House to be the amendment as amended.

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

On motion of Mr. Walk, the following amendments to the title were adopted:

In line 3 of the title, after "adding" strike "a new section" and insert "new sections"

In line 4 of the title, after "43.160 RCW;" insert "adding a new section to chapter 47.01 RCW;"

In line 4 of the title, after "47.10.810;" insert "making an appropriation;"

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 863, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Engrossed Substitute House Bill No. 863, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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

HOUSE BILL NO. 1169, by Representatives Lux, Winsley, J. King, Wineberry, D. Nelson, Sayan, Todd and Niemi

Enacting the Community Reinvestment Act.

The bill was read the second time. On motion of Mr. Lux, Substitute House Bill No. 1169 was substituted for House Bill No. 1169, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1169 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 489, by Representatives McMullen, Thomas, Braddock, Lundquist, Kremen and Tanner

Establishing allocation methods for private activity bonds.

The bill was read the second time. On motion of Mr. McMullen, Substitute House Bill No. 489 was substituted for House Bill No. 489, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 489 was read the second time. On motion of Mr. J. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 489, and the bill passed the House by the following vote: Yeas, 97; nays, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Voting nay: Representative Lux - 1.

Substitute House 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.

HOUSE BILL NO. 1079, by Representatives Peery, Holland, Hargrove, Bristow, Vekich, Haugen, Basich, B. Williams, Schoon, Fisch, Ballard, Betrozoff, Sanders, Isaacson, Long, Doty, May, Thomas, L. Smith, Kremen, O'Brien, Wang and Tilly; by Governor request

Authorizing sales tax deferrals for investment projects.

The bill was read the second time. On motion of Mr. McMullen, Substitute House Bill No. 1079 was substituted for House Bill No. 1079, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1079 was read the second time.

Mr. Smitherman moved adoption of the following amendment:

Beginning on page 1, line 27 after "means" strike all material through "percent" on page 2, line 2 and insert "any county within the state"

Representatives Smitherman, L. Smith and B. Williams spoke in favor of the amendment, and Representatives McMullen and Vekich spoke against it.

Ms. L. Smith spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Smitherman to page 1, line 27 of Substitute House Bill No. 1079, and the amendment was not adopted by the following vote: Yeas, 46; nays, 52.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Taylor, Thomas, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley, Zellinsky - 46.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Sommers, Sutherland, Tanner, Tilly, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, and Mr. Speaker - 52.

Ms. Silver moved adoption of the following amendment

On page 1, line 27 strike all material through "percent" on page 2, line 2.

Representatives Silver, Prince, B. Williams and J. Williams spoke in favor of the amendment, and Representatives McMullen, Vekich and J. King spoke against it.

A division was called.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Silver to page 1, line 27 of Substitute House Bill No. 1079, and the amendment was not adopted by the following vote: Yeas, 47; nays, 51.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley, Zellinsky - 47.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, and Mr. Speaker - 51.

Mr. Schoon moved adoption of the following amendment:

On page 2, line 7 after "investment" insert " : PROVIDED, That regardless of the project value, no applicant shall be required to create more than two hundred jobs"

Mr. Dobbs spoke in favor of the amendment, and Mr. McMullen spoke against it.

The amendment was not adopted.

Mr. Schoon moved adoption of the following amendments:

On page 2, line 12 after "exceed" strike "twenty" and insert "fifty"  
 On page 4, line 8 after "exceed" strike "twenty" and insert "fifty"  
 On page 4, line 13 after "exceed" strike "twenty" and insert "fifty"

Representatives Schoon, Dobbs, Lundquist and G. Nelson spoke in favor of the amendments, and Representatives McMullen and Tanner spoke against them.

A division was called.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Schoon to Substitute House Bill No. 1079, and the amendments were not adopted by the following vote: Yeas, 45; nays, 53.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G. Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C. Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 45.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 53.

The Speaker resumed the Chair.

Mr. G. Nelson moved adoption of the following amendments:

On page 3, after line 25 insert:

"(13)(a) 'Research and development firm' means an applicant whose business activities, including the business activities of the applicant's corporate group, are at least fifty percent research and development.

(b) As used in this subsection (13):

(i) 'Corporate group' means a group of affiliated corporations engaged in business activities which are integrated with, dependent upon, or which contribute to the business activities of the group as a whole, giving consideration to all appropriate factors including common management and contractual arrangements.

(ii) 'Affiliated corporation' means a corporation that is a member of a group of two or more corporations with a common owner or owners, either corporate or noncorporate, when more than fifty percent of the voting stock of each member corporation is directly or indirectly owned by the common owner or owners or by one or more of the member corporations. 'Affiliated corporation' does not include a corporation organized under the laws of a foreign country, or a corporation organized under the laws of any state or the United States which is domiciled in a foreign country.

(14) 'Research and development project' means an eligible investment project which is used for research and development or for manufacture of a product the research and development costs for which were or will be paid by the applicant."

On page 4, beginning on line 3 after "on" strike everything through "area." on line 4 and insert:

"(a) Each eligible investment project located in an eligible area; and

(b) Each research and development project investment project located in this state."

Representatives G. Nelson and B. Williams spoke in favor of the amendment, and Mr. McMullen spoke against it.

A division was called.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative G. Nelson to Substitute House Bill No. 1079, and the amendments were not adopted by the following vote: Yeas, 46; nays, 52.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G. Padden, Patrick, Prince, Sanders, Schmidt,

Schoon, Silver, Smith C, Smith L, Smitherman, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 46.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 52.

Mr. Hastings moved adoption of the following amendment:  
On page 5, line 18 after "the" insert "approximate"

Representatives Hastings, Lundquist and Schoon spoke in favor of the amendment, and Mr. McMullen opposed it.

Mr. Hastings spoke again in favor of the amendment.

The amendment was not adopted.

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

Representatives Peery, Lundquist, Smitherman, B. Williams, D. Nelson, Schoon and Lux spoke in favor of passage of the bill.

Mr. Crane demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1079, and the bill passed the House by the following vote: Yeas, 96; nays, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzloff, Bond, Braddock, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representatives Brekke, Unsoeld - 2.

Substitute House Bill No. 1079, having received the 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 House advanced to the seventh order of business.

#### THIRD READING

#### MOTION FOR RECONSIDERATION

Mr. J. King, having served previous notice, moved that the House now reconsider the vote by which ENGROSSED SUBSTITUTE HOUSE BILL NO. 192 failed to pass the House.

Representatives J. King, Fisher and K. Wilson spoke in favor of the motion, and Representatives Barrett, Barnes, Miller and Ballard spoke against it.

Mr. Appelwick spoke in favor of the motion.

#### POINT OF ORDER

Mr. Hastings: "Mr. Speaker, the body has not given the gentleman from the 46th District leave to read papers. Would you please remind him of that?"

#### SPEAKER'S RULING

The Speaker: "Representative Hastings, the Speaker would like to remind you that the Journal, page 720, a 1982 ruling by Speaker Polk: When a point of order was raised by Representative Martinis when Representative Sanders was speaking, Speaker Polk ruled that as long as the member was reading from personal notes, the member could read the material. Please continue, Representative Appelwick."

Mr. Appelwick concluded his remarks in favor of the motion, and Representatives Sayan and Sommers also spoke in favor of the motion.

#### POINT OF PERSONAL PRIVILEGE

Mr. Vander Stoep: "If I read the rules right, a point of personal privilege applies to those affecting the rights of the House collectively, and its safety, dignity and integrity in proceedings. Therefore, I would like to speak on a point of personal privilege.

"I would like this House to know that I have never, in the four years that I have been here on the floor of the House, taken money from PAC, business, labor or otherwise. I, for one, deeply resent the implications that have been raised by a number of the previous speakers that those who are voting against this bill are doing so for reasons other than they don't think it's good public policy. Mr. Speaker, I think you, as a presiding officer of this body, ought to watch very carefully the implications that have been made on the floor of this House as to the motives of the members. I would hope that future speakers would refrain from impugning the integrity of this body."

#### SPEAKER'S RULING

The Speaker: "Representative Vander Stoep, under point of personal privilege, if you feel members on either side of the aisle or any member on the floor is impugning your motives, that's fine. I cannot make any judgment as Speaker whether or not it impugns others. That is an individual decision."

Representative Unsoeld spoke in favor of the motion to reconsider, and Representative Barnes again opposed it.

Representatives L. Smith, Lundquist and Isaacson spoke against the motion, and Mr. J. King spoke again in favor of it.

Mr. Appelwick demanded an oral roll call vote and the demand was sustained.

Ms. Long spoke against the motion.

Mr. Crane demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the motion to reconsider the vote by which Engrossed Substitute House Bill No. 192 failed to pass the House, and the motion was lost by the following vote: Yeas, 48; nays, 50.

Voting yea: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Grimm, Hine, Jacobsen, King J., King P., King R., Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D., Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K., Wineberry, and Mr. Speaker - 48.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Gallagher, Hankins, Hargrove, Hastings, Haugen, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G., Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C., Smith L., Smitherman, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B., Williams J., Wilson S., Winsley, Zellinsky - 50.

#### MESSAGE FROM THE SENATE

March 14, 1985

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 3021,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3027,  
 SUBSTITUTE SENATE BILL NO. 3110,  
 SENATE BILL NO. 3148,  
 ENGROSSED SENATE BILL NO. 3211,  
 SUBSTITUTE SENATE BILL NO. 3221,  
 ENGROSSED SENATE BILL NO. 3319,  
 SUBSTITUTE SENATE BILL NO. 3340,  
 SUBSTITUTE SENATE BILL NO. 3379.

SENATE BILL NO. 3405,  
 SUBSTITUTE SENATE BILL NO. 3468,  
 SUBSTITUTE SENATE BILL NO. 3500,  
 SUBSTITUTE SENATE BILL NO. 3556,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3717,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3740,  
 SUBSTITUTE SENATE BILL NO. 3756,  
 SENATE BILL NO. 3768,  
 SENATE BILL NO. 3812,  
 SENATE BILL NO. 3818,  
 SUBSTITUTE SENATE BILL NO. 3822,  
 SENATE BILL NO. 3826,  
 SENATE BILL NO. 3906,  
 SENATE BILL NO. 3910,  
 ENGROSSED SENATE BILL NO. 4115,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 4195,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 4196,  
 SUBSTITUTE SENATE BILL NO. 4211,  
 SUBSTITUTE SENATE BILL NO. 4213,  
 ENGROSSED SENATE BILL NO. 4286,  
 SENATE JOINT MEMORIAL NO. 113,  
 SENATE JOINT MEMORIAL NO. 119,  
 ENGROSSED SUBSTITUTE SENATE JOINT RESOLUTION NO. 103,  
 and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

There being no objection, the House reverted to the fourth order of business.

#### INTRODUCTIONS AND FIRST READING

SB 3021 by Senator Barr

Modifying the fee paid by a married couple or family when filing a water rights statement.

Referred to Committee on Agriculture.

ESSB 3027 by Committee on Commerce & Labor (originally sponsored by Senators Williams and Warnke)

Requiring refueling services for disabled drivers except by stations which are solely cashier-attended.

Referred to Committee on Commerce & Labor.

SSB 3110 by Committee on Ways & Means (originally sponsored by Senators Wojahn, Zimmerman, Gaspard, Vognild, Sellar, Thompson, Deccio, Johnson and Conner)

Modifying the business and occupation taxation of the income from amusement devices.

Referred to Committee on Ways & Means.

SB 3148 by Senators Granlund, Kreidler, Kiskaddon and Deccio; by Department of Corrections request

Repealing provisions relating to special adult supervision programs.

Referred to Committee on Social & Health Services.

ESB 3211 by Senators Thompson, Newhouse and Talmadge

Authorizing modifications of community property settlements involving military retirement benefits.

Referred to Committee on Judiciary.



- SSB 3221 by Committee on Energy & Utilities (originally sponsored by Senators Owen, McManus, Bender and Peterson)  
Providing reduced utility rates for certain low income persons.  
Referred to Committee on Energy & Utilities
- ESB 3319 by Senators Talmadge, McCaslin and DeJarnatt  
Authorizing award of court costs in challenges to open public meeting act.  
Referred to Committee on Judiciary.
- SSB 3340 by Committee on Agriculture (originally sponsored by Senators Hansen, Barr, Goltz, Gaspard, Benitz and Bauer)  
Providing a priority for certain agricultural liens.  
Referred to Committee on Agriculture.
- SSB 3379 by Committee on Ways & Means (originally sponsored by Senators Fleming, Hansen, Goltz, Bauer, Rasmussen, Metcalf, Barr, Bailey, Hayner, Deccio and Zimmerman)  
Establishing a matching grant program for conservation districts.  
Referred to Committee on Ways & Means.
- SB 3405 by Senators Moore, Wojahn, Lee, Pullen, McDonald, Stratton and Rinehart  
Establishing the mental sports competition and research commission.  
Referred to Committee on State Government.
- SSB 3468 by Committee on Energy & Utilities (originally sponsored by Senators Williams, Bailey, Saling, Talmadge, Bauer and Rasmussen)  
Authorizing the monitoring of federal research regarding the suitability of Hanford as a radioactive waste disposal facility.  
Referred to Committee on Energy & Utilities.
- SSB 3500 by Committee on Transportation (originally sponsored by Senators Peterson, Benitz, Hansen, Vognild, Conner and Metcalf)  
Regulating tourist and agricultural directional signs along state highways.  
Referred to Committee on Transportation.
- SSB 3556 by Committee on Natural Resources (originally sponsored by Senators Vognild, Metcalf, Owen, Barr, Stratton, Johnson, Rasmussen, Peterson and Lee)  
Authorizing the use of private aquaculturists to enhance the propagation of food fish.  
Referred to Committee on Natural Resources.
- ESSB 3717 by Committee on Ways & Means (originally sponsored by Senator McDermott)  
Modifying provisions relating to retirement systems.  
Referred to Committee on Ways & Means.
- ESSB 3740 by Committee on Judiciary (originally sponsored by Senator Talmadge)  
Revising certain laws governing courts.  
Referred to Committee on Judiciary.
- SSB 3756 by Committee on Parks & Ecology (originally sponsored by Senators Lee and Talmadge)  
Expanding aircraft noise abatement programs.  
Referred to Committee on Local Government.

- SB 3768 by Senators Thompson and Zimmerman  
 Providing for alteration of municipal utility systems.  
 Referred to Committee on Local Government.
- SB 3812 by Senators Kreidler and Talmadge  
 Modifying penalty provisions on the violation of water pollution control statutes.  
 Referred to Committee on Environmental Affairs.
- SB 3818 by Senators Rasmussen, Pullen and Kreidler; by Secretary of State request  
 Adding an appointee of the director of financial management to the records committee.  
 Referred to Committee on State Government.
- SSB 3822 by Committee on Financial Institutions (originally sponsored by Senator Sellar)  
 Revising interest rates on life insurance policy settlements.  
 Referred to Committee on Financial Institutions & Insurance.
- SB 3826 by Senator Garrett  
 Modifying provisions on local government finances.  
 Referred to Committee on Local Government.
- SB 3906 by Senators Talmadge and Cantu; by Attorney General request  
 Modifying provisions on pornography and moral nuisances.  
 Referred to Committee on Judiciary.
- SB 3910 by Senators Talmadge, Halsan and Goltz  
 Establishing penalties for unfair manufacturing processes.  
 Referred to Committee on Judiciary.
- ESB 4115 by Senators Warnke, Bluechel, Bottiger, Newhouse and Sellar  
 Authorizing industrial development bonds for sports facilities.  
 Referred to Committee on Trade & Economic Development.
- ESSB 4195 by Committee on Commerce & Labor (originally sponsored by Senators Bauer, Zimmerman, Vognild, Warnke, Conner, Hansen, Garrett and Bottiger)  
 Requiring all sales of fireworks to comply with state regulations and strengthening enforcement provisions.  
 Referred to Committee on Commerce & Labor.
- ESSB 4196 by Committee on Commerce & Labor (originally sponsored by Senators Warnke, Cantu and Wojahn; by Employment Security Department request)  
 Providing for special programs to assist the unemployed and underemployed.  
 Referred to Committee on Commerce & Labor.
- SSB 4211 by Committee on Commerce & Labor (originally sponsored by Senators Warnke, Fleming, Bottiger, Vognild, Bender, McManus, Moore, Lee and Johnson)  
 Establishing the legislative committee on economic development.  
 Referred to Committee on Trade & Economic Development.

SSB 4213 by Committee on Commerce & Labor (originally sponsored by Senators Warnke, Bender, McManus, Gaspard, Bauer and Moore)

Establishing a trade assistance center.

Referred to Committee on Trade & Economic Development.

ESB 4286 by Senator Lee

Authorizing the parks and recreation commission to issue permits for use of metal detectors on state beaches.

Referred to Committee on Environmental Affairs.

SJM 113 by Senators McManus, Bailey, DeJarnatt, Garrett and Pullen

Requesting Congress to retain the Small Business Administration.

Referred to Committee on Trade & Economic Development.

SJM 119 by Senators Zimmerman, DeJarnatt, Patterson, Hansen, Deccio, Hayner, Benitz, Newhouse, Thompson, Bauer and Sellar

Asking Congress to appropriate funds for locking facility at Bonneville Dam.

Referred to Committee on Transportation.

ESSJR 103 by Committee on Governmental Operations (originally sponsored by Senators Granlund, Zimmerman, McCaslin, Garrett, DeJarnatt and Bailey)

Establishing procedures for the adoption of county home rule charters.

Referred to Committee on Local Government.

#### MOTION

On motion of Mr. J. King, the bills, memorials and resolutions listed on today's introduction calendar were considered first reading under the fourth order of business and referred to the committees designated.

#### MOTION

On motion of Mr. J. King, the House adjourned until 9:30 a.m., Saturday, March 16, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk

## SIXTY-SECOND DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Saturday, March 16, 1985.

The House was called to order at 9:30 a.m. by the Speaker (Ms. Hine presiding). The Clerk called the roll and all members were present except Representatives Isaacson and Thomas. Representative Thomas was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Jess Chambers and Alicia Schloredt. Prayer was offered by Pastor Michael Grimshaw, Minister of the Church of the Nazarene, Bremerton.

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

## REPORTS OF STANDING COMMITTEES

March 15, 1985

SB 3427 Prime Sponsor, Senator Moore: Regulating domestic insurance holding corporations. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Addison, Barrett, Crane, Holland, P. King, Nutley, West and Winsley.

Voting nay: Representative Locke.

Absent: Representatives Dellwo, Grimm, Prince and Winsley.

Passed to Committee on Rules for second reading.

March 15, 1985

SSB 4138 Prime Sponsor, Committee on Financial Institutions: Revising procedures governing acquisition of domestic insurers. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Addison, Barrett, Crane, Holland, Nutley, West and Winsley.

Absent: Representatives Dellwo, Grimm and Prince.

Passed to Committee on Rules for second reading.

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

## THIRD READING

HOUSE BILL NO. 268, by Representatives Tanner, B. Williams, Brekke, Lewis and Ebersole; by Department of Corrections request

Allowing institutional industries to purchase products and services for resale.

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

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

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 268, and the bill passed the House by the following vote: Yeas, 89; nays, 2; absent, 6; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Schmidt, Schoon, Scott,

Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 89.

Voting nay: Representatives Bond, Hastings - 2.

Absent: Representatives Isaacson, Lewis, Lux, Sanders, Sayan, Taylor - 6.

Excused: Representative Thomas - 1.

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.

#### STATEMENT FOR THE JOURNAL

It was my intention to vote in favor of House Bill No. 268.

PAUL SANDERS, 48th District.

SECOND SUBSTITUTE HOUSE BILL NO. 738, by Committee on Ways & Means (originally sponsored by Representatives Vekich, J. King, McMullen, Tanner, Ebersole and Sayan)

Establishing a community revitalization team.

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

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

#### POINT OF INQUIRY

Mr. Vekich yielded to question by Ms. Silver.

Ms. Silver: "In the bill I notice that this requires a technical and business assistance, and the bill would identify emerging problems. It will also examine the health of the community; it will look at CERB promotions; it will convene meetings, conduct workshops, revitalize stagnant communities. Could you tell me, with the stature of this bill, what is in this bill that the governor cannot already do?"

Mr. Vekich: "I guess if we want to shirk our responsibilities and let the governor's office, the executive branch, do things on their own without legislative input, I guess we could let them do all these things. I don't think there's a whole lot that couldn't be done if the governor's office really wanted to do it. I think he probably does want to do it; however, I think it's our responsibility as elected representatives of the public, to put into statute and to make it a clear policy declaration that we want this sort of approach, that we want a team approach and we're going to pass this bill. I have little doubt that some of these things could not have been done by the governor's office, but I also feel that it is important for us to make this a clear statement of policy and to put this into effect."

Ms. Silver spoke against passage of the bill.

#### POINT OF INQUIRY

Mr. Vekich yielded to question by Mr. Vander Stoep.

Mr. Vander Stoep: "Representative Vekich, I listened to your answer to the learned lady from Spokane's question and you said that the governor needs a clear policy direction. In reading section 3 of this bill--and before we get into what the team will do--the team is only given charge that the team shall have the ability to do all of the following things. I'm not quite sure this is a very clear policy direction. I wonder, again, if you could explain to the body what this bill directly empowers or orders be done that the governor can't do now?"

Mr. Vekich: "One of the things that has happened is there may be a time when this bill needs an appropriation. If there is an appropriation that is directed at this program with a reference in the budget, or if there's a reference in the budget, it might help if we had a bill that could implement what is referenced in the budget."

Mr. Vander Stoep spoke against passage of the bill.

## POINT OF INQUIRY

Mr. Vekich yielded to question by Mr. Addison.

Mr. Addison: "Representative Vekich, on page 4, line 9 there is a reference to 'the agency,' and within the definition section there is not a definition for 'the agency.' I was wondering if you could, for legislative intent, help us out with that?"

Mr. Vekich: "Lead agency, insofar as sponsor intent, is supposed to be the Department of Community Development, as I mentioned in my opening remarks. That is the agency that is referred to when the bill states 'the agency.' It is identified, I believe, as the lead agency in the bill."

Mr. Addison: "In that context, subsection (4) says, 'If funds to be spent in distress areas are not used by February 1 of the second year of the biennium or not requested for use by the director, then these funds shall be released for use by the agency under the activities for which they were generally intended.' It's not clear to me. If the director is the director of the agency which is defined in the definition section, why would they need the authority to release these funds under this bill, if the agency is Community Development? It's a circulation situation."

Mr. Vekich: "I think that section is in the bill to allow some sort of accountability and basically to have reports back on the progress of this program."

Mr. Addison: "I, too, like legislative oversight and reporting, but I'm still not clear why the director would need the authority to release the funds. Why doesn't he have the authority to release funds anyway?"

Mr. Vekich: "I don't know; I'll get back to you."

Representatives Schoon, B. Williams and May spoke against passage of the bill, and Representatives J. King, McMullen and Addison spoke in favor of it.

Mr. Vekich spoke again in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 738, and the bill passed the House by the following vote: Yeas, 67; nays, 29; absent, 1; excused, 1.

Voting yea: Representatives Addison, Appelwick, Armstrong, Barnes, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Brooks, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Jacobsen, King J. King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, McMullen, Miller, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Schmidt, Scott, Sitherman, Sommers, Sutherland, Tanner, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, West, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 67.

Voting nay: Representatives Allen, Ballard, Barrett, Betzoff, Bond, Brough, Chandler, Dobbs, Doty, Fuhrman, Hastings, Holland, May, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schoon, Silver, Smith C, Smith L, Tilly, van Dyke, Van Luven, Vander Stoep, Williams B, Williams J - 29.

Absent: Representative Isaacson - 1.

Excused: Representative Thomas - 1.

Second Substitute House Bill No. 738, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Isaacson appeared at the bar of the House.

## STATEMENT FOR THE JOURNAL

Please let the record show that I intended to vote "Yes" on House Bill No. 435, and "No" on Second Substitute House Bill No. 738.

RAY ISAACSON, 8th District.

ENGROSSED HOUSE BILL NO. 943, by Representatives Scott, Appelwick and Crane

Establishing a Washington technology exchange.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 943, and the bill passed the House by the following vote: Yeas, 79; nays, 17; absent, 1; excused, 1.

Voting yea: Representatives Addison, Alien, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Doly, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J. King P. King R. Kremen, Leonard, Lewis, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D. Nelson G. Niemi, Nutley, O'Brien, Patrick, Peery, Rayburn, Rust, Sayan, Schmidt, Scott, Smith C. Smitherman, Sommers, Sutherland, Tanner, Taylor, Todd, Unsoeld, Valle, Vander Stoep, Vekich, Walk, Walker, Wang, Williams B. Wilson K. Wilson S. Wineberry, Winsley, Zellinsky, and Mr. Speaker - 79.

Voting nay: Representatives Barrett, Betzoff, Bond, Dobbs, Fuhrman, Hastings, Lundquist, Padden, Prince, Sanders, Schoon, Silver, Tilly, van Dyke, Van Luvén, West, Williams J - 17.

Absent: Representative Smith L - 1.

Excused: Representative Thomas - 1.

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

ENGROSSED SUBSTITUTE HOUSE BILL NO. 435, by Committee on Commerce & Labor (originally sponsored by Representatives Wang, Barrett, R. King, Patrick, Sayan, Winsley, Fisch, Vekich, Madsen, Fisher, P. King, Basich and Isaacson)

Revising provisions relating to law enforcement officers and fire fighters.

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

Representatives Wang, Barrett, Sayan and Patrick spoke in favor of passage of the bill, and Representatives Silver and C. Smith spoke against it.

#### POINT OF INQUIRY

Mr. Patrick yielded to question by Mr. C. Smith.

Mr. C. Smith: "Representative Patrick, you have worked with Representative Sayan on what was called a compromise; however, many times in these compromises, the small cities are overlooked. I've had calls from such cities as Ellensburg, Moses Lake, Ephrata, Quincy, those small towns in our area. Are they ever considered in this model? They all say it's going to cost them money. Is this the fine tuning you are talking about? How are they going to get that money?"

Mr. Patrick: "Representative Smith, we did discuss the issue of small cities, but we were unable to come up with language to deal with small cities specifically. I believe, though, that the impact is minimal. We could work on this problem with the Senate and perhaps come up with some language that would meet their particular needs."

Representatives C. Smith and Silver again opposed passage of the bill, and Representative Brooks spoke in favor of it.

Mr. Sayan spoke again in favor of the bill, and Representatives L. Smith and B. Williams spoke against it.

Mr. Sayan spoke again in favor of the bill.

#### POINT OF INQUIRY

Mr. Sayan yielded to question by Mr. Schoon.

Mr. Schoon: "Representative Sayan, in the event that a disabled worker does not have any sick leave to accrue and the supplemental amount that he would normally get if he had accrued--the employer then continues the payments and his amount is reduced by that portion?"

Mr. Sayan: "We did address that issue and what happened is: To augment that portion that you are anticipating is that employees give up on the front end, two more days without the city making any contribution at all. If you look at a simple model of the people involved, you will find then that out of a hundred people the

curve dropped dramatically within thirty days, so you have every one of those employees donating an additional two days. The reason they did that is that there would be, out there on the other end, possibly--not likely, but possibly--an individual whose compensation dropped by one-fourth day because his time has run out, but the city will continue his one-quarter contribution of that supplemental one-quarter day. To make a quick pro quo, all of the employees--that's ninety percent of the original body, not the ten percent that might go to six months--are contributing two additional days of sick leave on their own and the cities are not contributing."

Mr. Schoon spoke against passage of the bill.

Mr. Crane demanded the previous question and the demand was sustained.

#### MOTION

Mr. Padden moved that further consideration of Substitute House Bill No. 435 be deferred and the bill be placed at the bottom of the third reading calendar.

#### SPEAKER'S RULING (MS. HINE PRESIDING)

The Speaker (Ms. Hine presiding): "Representative Padden, the motion that you are proposing is a secondary motion. The motion to stop debate and vote on the issue had passed and we are now in the process of voting on that. A motion to defer consideration is of lower rank and, therefore, is not appropriately put."

Mr. Wang closed debate, speaking again in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 435, and the bill passed the House by the following vote: Yeas, 82; nays, 15; excused, 1.

Voting yeas: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nelson D, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 82.

Voting nays: Representatives Belcher, Bond, Fuhrman, Hastings, Lundquist, Nealey, Nelson G, Prince, Sanders, Silver, Smith C, Tilly, Walker, Williams J, Wilson S - 15.

Excused: Representative Thomas - 1.

Substitute House Bill No. 435, having received the 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

Mr. Padden, having voted on the prevailing side, served notice that he would, on the next working day, move for reconsideration of the vote by which Substitute House Bill No. 435 passed the House.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 957, by Committee on Financial Institutions & Insurance (originally sponsored by Representatives Winsley, Crane, Barrett, West, Zellinsky, P. King and Holland)

Revising coverage requirements on underinsured motor vehicles.

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

Representatives Winsley and Lux spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 957, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yeas: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen,



Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Thomas - 1.

Engrossed Substitute House Bill No. 957, having received the 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. 1106, by Committee on Education (originally sponsored by Representatives Long, Rayburn, Holland, Ebersole, Betrozoff, Waik, Walker, Isaacson, May and Todd)

Providing grants to schools using parents, teachers aides, and volunteers for certain instructional purposes.

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

Representatives Long, Jacobsen and Ebersole spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1106, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Thomas - 1.

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

SUBSTITUTE HOUSE BILL NO. 1169, by Committee on Financial Institutions & Insurance (originally sponsored by Representatives Lux, Winsley, J. King, Wineberry, D. Nelson, Sayan, Todd and Niemi)

Enacting the Community Reinvestment Act.

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

Representatives Lux and Winsley spoke in favor of the bill, and Mr. Prince opposed it.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1169, and the bill passed the House by the following vote: Yeas, 81; nays, 16; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Brough, Cole, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King R, Kremen, Leonard, Lewis, Locke, Long, Lux, Madsen, McMullen, Miller, Nelson D, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, Williams B, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 81.

Voting nay: Representatives Betrozoff, Bond, Brooks, Chandler, Crane, Fuhrman, Hastings, King P, Lundquist, May, Nealey, Nelson G, Prince, West, Williams J, Wilson S - 16.

Excused: Representative Thomas - 1.

Substitute House Bill No. 1169, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

There being no objection, the House reverted to the sixth order of business.

#### SECOND READING

HOUSE JOINT RESOLUTION NO. 23, by Representative Tanner

Authorizing ad valorem taxing districts for public improvements.

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

HOUSE BILL NO. 760, by Representatives Sayan, McMullen, Tanner, Gallagher, Ebersole, Lux, B. Williams, Jacobsen, P. King, Wineberry and Unsoeld

Establishing the youth conservation corps.

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

Substitute House Bill No. 760 was read the second time.

On motion of Mr. Sayan, the following amendment by Representatives Sayan and Lundquist was adopted:

On page 1, line 10 after "50.65 RCW." insert "The Washington corps coordinating council, as created by RCW 43.220.190 shall recommend work projects to the employment security department for approval."

Mr. Sayan moved adoption of the following amendment by Representatives Sayan and Lundquist:

On page 3, line 4 after "dollars." insert "The tests included in items (a) and (b) of this subsection are in the alternative and it is only required that one of these tests be satisfied."

Mr. Sayan spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Sayan yielded to question by Mr. McMullen.

Mr. McMullen: "Representative Sayan, what is the purpose of this amendment?"

Mr. Sayan: "The purpose of this amendment, Representative McMullen, is to insure that there is some flexibility in the types of projects which can be funded by the Washington Conservation Corps and the service corps. We don't expect that there will be many projects which fall outside of the administrative and program support cost lids as is set forth in this amendment. If there are amendments, however, which submit these projects and which will qualify under either of the lids, we want to be certain that if they use the \$7,000 per enrollee lid, that the department will document that information for us."

Representatives McMullen and Schoon spoke in favor of the amendment, and it was adopted.

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

Representatives Sayan and Schoon spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 760, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince,

Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Thomas - 1.

Engrossed Substitute House Bill No. 760, having received the 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. 546, by Representatives Kremen, Vekich, McMullen, Lundquist, Haugen, S. Wilson, K. Wilson, Betrozoff, Ebersole, Zellinsky, C. Smith, Bristow, Ballard, Doty, Peery, Baugher, Nealey, Madsen, Brooks and O'Brien

Modifying provisions on agricultural commodity assessments.

The bill was read the second time. On motion of Mr. Vekich, Substitute House Bill No. 546 was substituted for House Bill No. 546, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 546 was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Kremen and Nealey spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 546, and the bill passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Day - 1.

Excused: Representative Thomas - 1.

Substitute House 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.

HOUSE JOINT RESOLUTION NO. 42, by Representatives Baugher, Nealey, Peery and Vekich

Permitting agricultural assessments for agricultural development or trade promotion as a public use.

The resolution was read the second time.

On motion of Mr. Baugher the following amendment was adopted:  
On page 1, line 13 after "section" strike "7" and insert "5"

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

Representatives Baugher and Nealey spoke in favor of passage of the resolution.

#### POINT OF INQUIRY

Mr. Nealey yielded to question by Mr. Lux.

Mr. Lux: "Representative Nealey, would this be similar to lobbying?"

Mr. Nealey: "No."

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Joint Resolution No. 42, and the resolution passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Thomas - 1.

Engrossed House Joint Resolution No. 42, having received the constitutional majority, was declared passed.

SUBSTITUTE HOUSE JOINT RESOLUTION NO. 6, by Committee on State Government (originally sponsored by Representatives Ehlers, S. Wilson, J. King, Ballard, Hine, G. Nelson, Belcher, Barrett, Grimm, Crane, Armstrong, Allen, Gallagher, Hankins, Leonard, May, D. Nelson, Holland, O'Brien, Winsley, Lewis, Silver, Day, B. Williams, Miller and Isaacson)

Providing for the organization of state government.

The resolution was read the second time.

Mr. Prince moved adoption of the following amendment by Representatives Prince, Schmidt, S. Wilson and Lundquist:

On page 1, line 10 before "agencies" insert "the department of transportation, the state game commission, and"

Representatives Prince, Schmidt and Lundquist spoke in favor of the amendment, and Representatives Belcher, Miller and Lux spoke against it.

A division was called.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Prince and others to page 1, line 10 of Substitute House Joint Resolution No. 6, and the amendment was not adopted by the following vote: Yeas, 26; nays, 71; excused, 1.

Voting yea: Representatives Addison, Barnes, Barrett, Bond, Doty, Fuhrman, Hastings, Haugen, Holland, Lewis, Long, Lundquist, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Silver, Smith C, Smith L, Taylor, West, Williams J, Wilson S, Zellinsky - 26.

Voting nay: Representatives Allen, Appelwick, Armstrong, Ballard, Basich, Baugher, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Hine, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, May, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Schoon, Scott, Smitherman, Sommers, Sutherland, Tanner, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, Williams B, Wilson K, Wineberry, Winsley, and Mr. Speaker - 71.

Excused: Representative Thomas - 1.

Mr. Fuhrman moved adoption of the following amendment:

On page 1, line 13 following "governor" insert ": PROVIDED, That this section shall not apply to agencies whose executives were not appointed by the governor at the time this amendment was submitted to the people"

Mr. Fuhrman spoke in favor of the amendment, and Ms. Belcher opposed it.

The amendment was not adopted.

Mr. Barrett moved adoption of the following amendment by Representative Thomas:

On page 1, line 28 following "session." strike all language through "section." on page 2, line 1.

Representatives Barrett and Taylor spoke in favor of the amendment, and Representative Belcher spoke against it.

The amendment was not adopted.

Ms. Belcher moved adoption of the following amendment by Representatives Belcher and B. Williams:

On page 2, line 3 after "concurred in by a" strike "three-fifths"

Representatives Belcher and B. Williams spoke in favor of the amendment, and Ms. Miller spoke against it.

The amendment was adopted.

Mr. Lundquist moved adoption of the following amendment by Representatives Lundquist, Thomas and Vander Stoep:

On page 2, line 1 after "section" strike all material through "passed" on line 7 and insert "However, any such executive order must be approved by a three-fifths majority of the members of both houses within forty-five days of its submission to the legislature. Any order failing to be so approved shall be null and void."

Mr. Lundquist spoke in favor of the amendment and Ms. Belcher spoke against it.

The amendment was not adopted.

Mr. Hastings moved adoption of the following amendment:

Beginning on page 1 after line 20 strike all the material down to and including "law." on page 2, line 12.

Representatives Hastings and Dobbs spoke in favor of the amendment, and Representatives Belcher and B. Williams opposed it.

The amendment was not adopted.

Substitute House Joint Resolution No. 6 was ordered engrossed and passed to Committee on Rules for third reading.

The Speaker (Ms. Hine presiding) called on Mr. Appelwick to preside.

HOUSE BILL NO. 1207, by Representative McMullen

Relating to employment and training.

The bill was read the second time. On motion of Mr. McMullen, Substitute House Bill No. 1207 was substituted for House Bill No. 1207, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1207 was read the second time.

Mr. Tanner moved adoption of the following amendment:

On page 2, line 12 strike "and" and on page 2, line 14 after "closure" strike all material through "program." on line 15 and insert "which reduction or closure has occurred within two years before the date on which the person has applied for participation in the program; and

(e) Has been continuously unemployed for the period of ten weeks immediately prior to the date on which the person has applied for participation in the program."

Representatives Tanner and Schoon spoke in favor of the amendment, and it was adopted.

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

On page 2, line 33 insert the following:

"NEW SECTION, Sec. 4. The terms of this act shall be implemented only to the extent that funds are available."

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

HOUSE BILL NO. 577, by Representatives Fisch and Barnes

Establishing an employee-ownership assistance program under the department of commerce and economic development.

The bill was read the second time. On motion of Mr. McMullen, Substitute House Bill No. 577 was substituted for House Bill No. 577, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 577 was read the second time.

Mr. McMullen moved adoption of the following amendments:

On page 1, line 9 strike "43.31" and insert "43.63A"

On page 1, line 11 strike "commerce and economic" and insert "community"

On page 2, line 19 strike "commerce and economic" and insert "community"

On page 2, line 25 strike "commerce and economic" and insert "community"

On page 2, line 36 strike "commerce and economic" and insert "community"

Representatives McMullen and Schoon spoke in favor of the amendments, and they were adopted.

On motion of Mr. McMullen, the following amendment to the title was adopted: On page 1, line 2 of the title strike "43.31" and insert "43.63A"

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

Representatives Fisch, Schoon and Jacobsen spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. McMullen yielded to question by Mr. Sanders.

Mr. Sanders: "Representative McMullen, I notice in our books there is no fiscal note. What is the cost of this study?"

Mr. McMullen: "The department currently has a similar program, but it is not structured. In essence, we are going to authorize and order them to structure what they have already been doing. There should be no real fiscal impact."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 577, and the bill passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Baillard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Fuhrman - 1.

Excused: Representative Thomas - 1.

Engrossed Substitute House Bill No. 577, having received the 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. 830, by Representatives Kremen, Braddock, McMullen, Haugen, Tanner, Day and Sayan

Facilitating the siting and expansion of business.

The bill was read the second time. Committee on Trade & Economic Development recommendation: Majority, do pass as amended. (For amendment, see Journal, 54th Day, March 8, 1985.)

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

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

HOUSE BILL NO. 494, by Representatives Sommers, G. Nelson, Grimm, Niemi, Vander Stoep, Hastings, Braddock, Miller and K. Wilson

Creating a board of regents to govern Washington State and Eastern Washington Universities and establishing a joint center on higher education.

The bill was read the second time. On motion of Ms. Sommers, Substitute House Bill No. 494 was substituted for House Bill No. 494, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 494 was read the second time.

On motion of Ms. Sommers, the following amendment by Representatives Sommers and Prince was adopted:

On page 1, line 18 after "other than" strike "engineering and" and insert "those relating to"

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

Representatives Sommers and Prince spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 494, and the bill passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Beicher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Barrett - 1.

Excused: Representative Thomas - 1.

Engrossed Substitute 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.

HOUSE BILL NO. 433, by Representatives Fisch, Miller, Fisher, Allen, J. King, Winsley, Jacobsen, Barrett, Basich, Betzoff, O'Brien, Doty, Sayan, Lewis, Lux, J. Williams, Appelwick, Silver, Vekich, Ballard, Kremen, Holland, Taylor and Hine

Submitting establishment of a state presidential preference primary to a vote of the people.

The bill was read the second time. On motion of Ms. Fisher, Substitute House Bill No. 433 was substituted for House Bill No. 433, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 433 was read the second time.

Mr. Fisch moved adoption of the following amendments:

On page 3, line 6 after "party" insert "and a space for uncommitted delegates, if permitted by the rules of that party,"

On page 3, line 17 after "ballot" insert "or uncommitted delegates"

Representatives Fisch and Miller spoke in favor of the amendments, and Mr. Nealey spoke against them.

Mr. Fisch spoke again in favor of the amendments, and they were adopted.

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

HOUSE JOINT MEMORIAL NO. 25, by Representatives Addison, Haugen, Lundquist, Sanders, Holland, Sutherland, Todd, Fuhrman, Dobbs, Brough, Isaacson, J. Williams and Thomas

Requesting steelhead be designated a national game fish.

The memorial was read the second time. Committee on Natural Resources recommendation: Majority, do pass with the following amendment:

On page 1, line 7 after "the" strike "Senate and House of Representatives" and insert "House of Representatives and Senate"

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

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

HOUSE BILL NO. 112, by Representatives Brekke, Patrick, Wang, Holland, D. Nelson, J. Williams, P. King, Lewis, Locke, Dellwo, Vekich, S. Wilson, Fisch, Tanner and Crane

Authorizing petitions to the courts for disclosure of identity of adoptees and parents.

The bill was read the second time. On motion of Mr. Armstrong, Substitute House Bill No. 112 was substituted for House Bill No. 112, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 112 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 890, by Representatives Nealey and Baugher

Reestablishing procedures for certain agricultural liens.

The bill was read the second time. On motion of Mr. Vekich, Substitute House Bill No. 890 was substituted for House Bill No. 890, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 890 was read the second time. On motion of Mr. J. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Vekich and Nealey spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 890, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Thomas - 1.

Substitute House Bill No. 890, having received the 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. 804, by Representatives Scott, Allen, Rust, S. Wilson, Lux, Unsoeld and Haugen

Establishing a program to recycle auto and truck tires.

The bill was read the second time. On motion of Ms. Rust, Substitute House Bill No. 804 was substituted for House Bill No. 804, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 804 was read the second time.



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

On page 4, line 27 after "of" strike "products" and insert "tires"

On page 4, line 30 after "of" insert "tires by"

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

Representatives Scott and S. Wilson spoke in favor of the bill, and Mr. Van Luven spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 804, and the bill passed the House by the following vote: Yeas, 86; nays, 11; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Cole, Crane, Dellwo, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Tanner, Taylor, Tilly, Todd, Unsoeld, Valle, van Dyke, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 86.

Voting nay: Representatives Bond, Chandler, Day, Dobbs, Fuhrman, Isaacson, Padden, Patrick, Sanders, Sutherland, Van Luven - 11.

Excused: Representative Thomas - 1.

Engrossed Substitute House Bill No. 804, having received the 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. 550, by Representatives P. King, D. Nelson, Isaacson, Armstrong, Addison, Lewis, Fisch, Barrett, Niemi, Zellinsky, Taylor, C. Smith, Hastings, Sanders and Long

Penalizing the theft of cable television services.

The bill was read the second time. On motion of Mr. Armstrong, Substitute House Bill No. 550 was substituted for House Bill No. 550, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 550 was read the second time.

Mr. Wang moved adoption of the following amendment by Representatives Wang, Day and Armstrong:

Strike everything after the enacting clause, and insert the following:

**\*NEW SECTION.** Sec. 1. A new section is added to chapter 9A.56 RCW to read as follows:

(1) A person is guilty of theft of cable television services if:

(a) With intent to avoid payment of the lawful charge for any service of a cable antenna television system, he or she:

(i) Tamper or makes connection with the equipment of the supplier, whether by mechanical, electrical, acoustical, or other means; or

(ii) Knowingly misrepresents a material fact; or

(iii) Uses any other artifice, trick, deception, code, or other device; and

(b) He or she wrongfully obtains cable television services for himself or herself or another.

(2) For the purposes of this section, the device described in subsection (1)(a)(iii) of this section does not include any nondecoding and nondescrambling channel frequency converter or any television receiver type accepted by the Federal Communications Commission.

(3) Proof that a person tampered with equipment of the supplier without the consent of the supplier creates a presumption that the person acted with intent to avoid payment of the lawful charge for any service of a cable antenna television system.

(4) Theft of cable television services is a gross misdemeanor.

**NEW SECTION.** Sec. 2. A new section is added to chapter 9A.56 RCW to read as follows:

(1) A person is guilty of unlawful sale of cable television services if, with intent to avoid payment of the lawful charge for any service of a cable antenna television system, he or she offers for sale or otherwise makes available any telecommunications decoder or descrambler that defeats a mechanism of electronic signal encryption, or that restricts delivery of individually addressed switching imposed by the cable antenna television service provider.

(2) Proof that a person offered for sale on a commercial basis any telecommunications decoder or descrambler described in subsection (1) of this section creates a presumption that the person acted with intent to avoid payment of the lawful charge for any service of a cable antenna television system, regardless of disclaimers to the contrary.

(3) For the purposes of this section, the telecommunications decoder or descrambler described in subsection (1) of this section does not include any nondecoding and nondescrambling channel frequency converter or any television receiver type accepted by the Federal Communications Commission.

(4) Unlawful sale of cable television services is a gross misdemeanor.

NEW SECTION, Sec. 3. A new section is added to chapter 9A.56 RCW to read as follows:

Upon conviction of theft of cable television services, the court shall order the seizure of any decoder, descrambler, or other device the use of which is prohibited under section 1 of this act as contraband and dispose of it at the court's discretion.

NEW SECTION, Sec. 4. A new section is added to chapter 9A.56 RCW to read as follows:

(1) In addition to the criminal penalties provided in sections 1 and 2 of this act, there is created a civil cause of action for theft of cable television services and for unlawful sale of cable television services.

(2) The court may direct the recovery of full costs, including awarding reasonable attorneys' fees, to the party who prevails.

(3) Damages awarded by any court under this section shall be computed in accordance with either of the following:

(a) The party aggrieved may recover the actual damages suffered by him as a result of the violation and any profits of the violator that are attributable to the violation that are not taken into account in computing the actual damages. In determining the violator's profits, the party aggrieved shall be required to prove only the violator's gross revenue, and the violator shall be required to prove his deductible expenses and the elements of profit attributable to factors other than the violation; or

(b) In addition to actual damages the party aggrieved may recover an award of statutory damages for all violations involved in the action, in a sum of not less than two hundred fifty dollars or more than ten thousand dollars, as the court considers just.

(4) The superior court may grant temporary and final injunctions on such terms as it deems reasonable to prevent or restrain violations of sections 1 and 2 of this act.

(5) Presumptions of intent to avoid payment of the lawful charge for any service of a cable antenna system under sections 1 and 2 of this act apply in civil actions brought under this section.

NEW SECTION, Sec. 5. Section 1, chapter 94, Laws of 1973 1st ex. sess. and RCW 9.45.250 are each repealed.

NEW SECTION, Sec. 6. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

On motion of Mr. Todd, the following amendments by Representatives Todd and Wang to the amendment were adopted:

On page 1, line 35 after "Commission" insert "or earth station television receivers which receive a television signal or television signals solely from nonland based sources"

On page 2, line 26 after "provider." insert "For purposes of this act, an earth station television receiver with the capability to descramble satellite sent television signals shall not be considered to be a telecommunications decoder or descrambler that defeats a mechanism of electronic signal encryption provided that the earth station television receiver receives its signals solely from nonland based sources."

Mr. West moved adoption of the following amendments by Representatives West and Dellwo to the amendment:

On page 4 of the amendment, line 4 after "with" strike "either of"

On page 4, line 6 before "The" strike "(a)"

On page 4, line 20 after "violation" strike "; or" and insert a period.

On page 4, line 20 strike all material down to and including "just." on line 28.

Mr. Dellwo spoke in favor of the amendments to the amendment, and they were adopted.

The Speaker stated the question before the House to be the amendment by Representatives Wang, Day and Armstrong as amended.

Mr. Wang spoke in favor of the amendment as amended.

The amendment as amended was adopted.

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

Mr. P. King spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 550, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Thomas - 1.

Engrossed Substitute House Bill No. 550, having received the 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. 317, by Representatives Niemi, Belcher, Hankins, B. Williams and Isaacson

Changing provisions relating to personal services contracts.

The bill was read the second time. On motion of Ms. Belcher, Substitute House Bill No. 317 was substituted for House Bill No. 317, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 317 was read the second time.

On motion of Mr. Walk, the following amendments by Representatives Walk, Hankins and Belcher were adopted:

On page 2, line 21 strike "and" and on line 23 after "(6)"strike the period and insert "; and"

On page 2, after line 23 insert the following:

"(e) A contract with a litigation expert or witness retained to assist in the preparation of a trial or to testify at a trial."

On page 4, line 16 strike "before" and insert "no later than 5:00 p.m. on the next working day after"

On page 4, line 33 strike "before" and insert "no later than 5:00 p.m. on the next working day after"

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

Representatives Niemi, Valle, Belcher and Hankins spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 317, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Thomas - 1.

Engrossed Substitute House 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.

HOUSE BILL NO. 223, by Representatives Nealey, Baugher, Chandler, Rayburn, Doty, Bristow, Vekich, Ballard, Tilly, Madsen, C. Smith, Lewis, Bond and Isaacson

Modifying provisions relating to hydraulic projects.

The bill was read the second time. On motion of Mr. Vekich, Substitute House Bill No. 223 was substituted for House Bill No. 223, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 223 was read the second time.

Ms. Belcher moved adoption of the following amendment by Representatives Belcher, Vekich and Unsoeld:

On page 1, line 6 after "senate," insert "two members of the natural resources committee of the house of representatives, two members of the natural resources committee of the senate."

Ms. Belcher spoke in favor of the amendment, and Representatives Nealey and Doty spoke against it.

A division was called.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Belcher and others to Substitute House Bill No. 223, and the amendment was not adopted by the following vote: Yeas, 44; nays, 53; excused, 1.

Voting yea: Representatives Appelwick, Armstrong, Basich, Belcher, Brække, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J. King P, King R, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Rust, Saryan, Scott, Sommers, Sutherland, Tanner, Todd, Unsoeld, Vekich, Waik, Wang, Wilson K, Wineberry, and Mr. Speaker - 44.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Baugher, Betrozoff, Bond, Braddock, Bristow, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Kremen, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Peery, Prince, Rayburn, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Taylor, Tilly, Valle, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley, Zellinsky - 53.

Excused: Representative Thomas - 1.

Mr. Sutherland moved adoption of the following amendment by Representatives Sutherland, Belcher and Unsoeld:

On page 1, line 9 after "agriculture," insert "two persons knowledgeable in the field of fisheries appointed by the director of the department of fisheries, one person knowledgeable in the field of fisheries appointed by the director of the department of game."

Representatives Sutherland and Belcher spoke in favor of the amendment, and Representatives Nealey and Vekich spoke against it.

The amendment was not adopted.

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

On page 1, line 21 after "committee" insert "shall be selected one from each political party from both the house and the senate and"

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

Representatives Nealey, Vekich and Chandler spoke in favor of passage of the bill, and Representative Sutherland spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 223, and the bill passed the House by the following vote: Yeas, 81; nays, 16; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Baugher, Betrozoff, Bond, Braddock, Bristow, Brooks, Brough, Chandler, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings,

Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, Kremen, Lewis, Long, Lundquist, Madsen, May, McMullen, Miller, Nealey, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Sanders, Sayan, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Sommers, Tanner, Taylor, Tilly, Todd, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, West, Williams B, Williams J, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 81.

Voting nay: Representatives Basich, Belcher, Brekke, Cole, Fisher, King R, Leonard, Locke, Lux, Nelson D, Rust, Scott, Sutherland, Unsoeld, Wang, Wilson K - 16.

Excused: Representative Thomas - 1.

Engrossed Substitute House 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.

HOUSE BILL NO. 357, by Representatives Brekke, Lewis, Braddock, Brooks, Armstrong and Day; by Department of Social and Health Services request

Establishing procedures for the disclosure by state agencies of personal records for research purposes.

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

HOUSE BILL NO. 1046, by Representatives Lux, Ebersole, Patrick, Hankins, Lewis, Thomas, McMullen, Sutherland, Day, Leonard, Holland, P. King and Addison

Expanding authority for disapproval of health maintenance contracts.

The bill was read the second time. On motion of Mr. Lux, Substitute House Bill No. 1046 was substituted for House Bill No. 1046, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1046 was read the second time. On motion of Mr. Dellwo, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1046, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Thomas - 1.

Substitute House Bill No. 1046, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Dellwo, the House advanced to the seventh order of business.

#### THIRD READING

SUBSTITUTE HOUSE JOINT RESOLUTION NO. 30, by Committee on Ways & Means (originally sponsored by Representatives Grimm, Tilly, Sommers, B. Williams, Unsoeld, Schoon, Isaacson, May and Walker)

Providing for state funding of pension liabilities.

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

Representatives Grimm, Lewis, Tilly, Vander Stoep, Van Luven and Chandler spoke in favor of the resolution, and Representatives R. King, Rust and Betzoff spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Joint Resolution No. 30, and the resolution passed the House by the following vote: Yeas, 79; nays, 18; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Bond, Braddock, Bristow, Brooks, Brough, Chandler, Crane, Day, Dobbs, Doty, Ebersole, Fisher, Fuhrman, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Isaacson, Jacobsen, King J, King P, Kremen, Lewis, Locke, Long, Lundquist, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Nutley, O'Brien, Padden, Patrick, Peery, Rayburn, Sanders, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Tilly, Todd, Valle, van Dyke, Van Luven, Vander Stoep, Walk, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 79.

Voting nay: Representatives Belcher, Betzoff, Brekke, Cole, Dellwo, Fisch, Gallagher, Holland, King R, Leonard, Lux, Niemi, Prince, Rust, Sayan, Unsoeld, Vekich, Wang - 18.

Excused: Representative Thomas - 1.

Substitute House Joint Resolution No. 30, having received the constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 323, by Committee on Environmental Affairs (originally sponsored by Representatives Belcher, Unsoeld, Allen, Rust, Dellwo, Locke, P. King, Jacobsen, Fisher, Brekke and Day)

Requiring a management program for the Nisqually river system.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 323, and the bill passed the House by the following vote: Yeas, 80; nays, 17; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Cole, Crane, Day, Dellwo, Doty, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smitherman, Sommers, Sutherland, Tanner, Taylor, Tilly, Todd, Unsoeld, Valle, Vander Stoep, Vekich, Walk, Walker, Wang, Williams B, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky - 80.

Voting nay: Representatives Baugher, Bond, Chandler, Dobbs, Ebersole, Fuhrman, Madsen, Nutley, Padden, Sanders, Smith C, Smith L, van Dyke, Van Luven, West, Williams J, and Mr. Speaker - 17.

Excused: Representative Thomas - 1.

Engrossed Substitute House 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.

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

The Speaker called the House to order.

Representative Barrett was excused.

The House reverted to the fifth order of business.

#### REPORT OF STANDING COMMITTEE

March 15, 1985

HB 625

Prime Sponsor, Representative McMullen: Establishing a department of trade and economic development. Reported by Committee on Committee on Trade & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives McMullen, Chair; Kremen,

Vice Chair; Braddock, Day, Dobbs, Doty, Hargrove, Lundquist, May, Niemi, Rayburn, Schmidt, Schoon, Scott, Silver, L. Smith, Tanner, Thomas, van Dyke, Vekich and B. Williams.

Absent: Representatives J. King, Smitherman and Wineberry.

Passed to Committee on Rules for second reading.

#### SECOND READING

HOUSE BILL NO. 406, by Representatives Baugher, Walk, Lewis, Rayburn, Lundquist, Vekich, Brooks, Bristow, McMullen, Haugen, Sanders, Smitherman, Zellinsky, Gallagher, Fisher, Prince, Fisch, Kremen, Tilly, Hastings, Todd, Doty, B. Williams, Ballard, Sutherland, Taylor, Schmidt, Chandler and Hankins

Regulating tourist and agricultural directional signs along state highway.

The bill was read the second time. On motion of Mr. Walk, Substitute House Bill No. 406 was substituted for House Bill No. 406, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 406 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Baugher, Schmidt and Isaacson spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Baugher yielded to question by Mr. Nealey.

Mr. Nealey: "Representative Baugher, I notice in the summary it says that they must be located within fifteen miles of the highway. Is that an error or what does that mean?"

Mr. Baugher: "That was put in there because we think probably ten miles would catch most of them, but fifteen, we felt, would be just that much better. That fits with the federal laws and rules."

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 406, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Sloep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Barrett, Thomas - 2.

Substitute House Bill No. 406, having received the 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. 831, by Representatives Kremen, Isaacson, Smitherman, Crane, McMullen, Brekke, Allen, Lux, Wineberry and Ebersole

Publicizing local government bond information.

The bill was read the second time. On motion of Ms. Haugen, Substitute House Bill No. 831 was substituted for House Bill No. 831, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 831 was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Kremen and Brough spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 831, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J. King P. King R. Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Barrett, Thomas - 2.

Substitute House Bill No. 831, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Sanders was excused.

HOUSE BILL NO. 1080, by Representatives J. King, G. Nelson, Cole, Haugen, Basich, Silver, B. Williams, Taylor, Lundquist and Ballard; by Governor request

Increasing the number of certain positions exempt from state civil service law.

The bill was read the second time. On motion of Ms. Belcher, Substitute House Bill No. 1080 was substituted for House Bill No. 1080, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1080 was read the second time.

Mr. Sayan moved adoption of the following amendment:

On page 4, after line 36 insert the following new section:

"NEW SECTION, Sec. 2. A new section is added to chapter 28B.16 RCW to read as follows:

Building and construction trades apprentices who are registered with the Washington state apprentice and training council may be hired without regard to the provisions of this chapter governing employment of personnel."

#### POINT OF ORDER

Ms. Hankins: "Mr. Speaker, will you rule on scope and object of this amendment?"

#### SPEAKER'S RULING

The Speaker: "Representative Hankins, the bill before us deals with 41.06.070 which is the state civil service system. 28B.16 deals with the higher education personnel board. Because of that, the Speaker has reviewed that and believes the amendment is outside of the scope and object. Your point is well taken."

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

Mr. J. King spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1080, and the bill passed the House by the following vote: Yeas, 94; absent, 1; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J. King P. King R. Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Absent: Representative Scott - 1.



Excused: Representatives Barrett, Sanders, Thomas - 3.

Substitute House Bill No. 1080, having received the 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. 493, by Representatives Valle, Todd, Jacobsen, Leonard, Barnes, Ebersole, Cole, Rust, Crane, Appelwick, Braddock, D. Nelson and Miller

Establishing a seismic safety commission.

The bill was read the second time. On motion of Mr. Appelwick, Substitute House Bill No. 493 was substituted for House Bill No. 493, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 493 was read the second time and passed to Committee on Rules for second reading.

### THIRD READING

#### MOTION FOR RECONSIDERATION

Mr. Barnes, having served previous notice, moved for immediate reconsideration of the vote by which House Joint Memorial No. 12 was not passed.

Representatives Barnes, Walker and Smitherman spoke in favor of the motion, and Mr. D. Nelson spoke against it.

A division was called.

#### ROLL CALL

The Clerk called the roll on the motion to immediately reconsider the vote by which House Joint Memorial No. 12 was defeated, and the motion was carried by the following vote: Yeas, 49; nays, 46; excused, 3.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Betrozoff, Bond, Brooks, Brough, Chandler, Day, Dobbs, Doty, Fuhrman, Gallagher, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, O'Brien, Padden, Patrick, Prince, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Taylor, Tilly, van Dyke, Van Luven, Vander Stoep, Walk, Walker, West, Williams B, Williams J, Wilson S, Wineberry, Winsley, Zellinsky - 49.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Dellwo, Ebersole, Fisch, Fisher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, Peery, Rayburn, Rust, Sayan, Scott, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Wang, Wilson K, and Mr. Speaker - 46.

Excused: Representatives Barrett, Sanders, Thomas - 3.

The Speaker stated the question before the House to be reconsideration of final passage of House Joint Memorial No. 12.

#### ROLL CALL

The Clerk called the roll on reconsideration of final passage of House Joint Memorial No. 12, and the memorial was passed by the following vote: Yeas, 61; nays, 34; excused, 3.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Baugher, Betrozoff, Bond, Bristow, Brooks, Brough, Cole, Day, Dobbs, Doty, Fisch, Fuhrman, Gallagher, Hankins, Hargrove, Hastings, Haugen, Hine, Isaacson, Jacobsen, King P, Kremen, Lewis, Long, Lundquist, May, McMullen, Miller, Nealey, Nelson G, O'Brien, Padden, Prince, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sutherland, Taylor, Tilly, Todd, Valle, van Dyke, Van Luven, Vander Stoep, Walk, Walker, West, Williams B, Williams J, Wilson S, Wineberry, Winsley, Zellinsky - 61.

Voting nay: Representatives Appelwick, Armstrong, Basich, Belcher, Braddock, Brekke, Chandler, Crane, Dellwo, Ebersole, Fisher, Grimm, Holland, King J, King R, Leonard, Locke, Lux, Madsen, Nelson D, Niemi, Nutley, Patrick, Peery, Rayburn, Rust, Sayan, Sommers, Tanner, Unsoeld, Vekich, Wang, Wilson K, and Mr. Speaker - 34.

Excused: Representatives Barrett, Sanders, Thomas - 3.

House Joint Memorial No. 12, having received the constitutional majority, was declared passed.

There being no objection, the House reverted to the fourth order of business.

## MESSAGES FROM THE SENATE

March 15, 1985

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3035,  
 SUBSTITUTE SENATE BILL NO. 3125,  
 SUBSTITUTE SENATE BILL NO. 3306,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3367,  
 SUBSTITUTE SENATE BILL NO. 3469,  
 SUBSTITUTE SENATE BILL NO. 3558,  
 SENATE BILL NO. 3601,  
 SUBSTITUTE SENATE BILL NO. 3797,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3799,  
 SUBSTITUTE SENATE BILL NO. 3808,  
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3828,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3837,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3856,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3877,  
 SUBSTITUTE SENATE BILL NO. 3897,  
 SUBSTITUTE SENATE BILL NO. 3989,  
 SECOND SUBSTITUTE SENATE BILL NO. 4136,  
 ENGROSSED SENATE BILL NO. 4152,  
 SENATE BILL NO. 4168,  
 SENATE BILL NO. 4216,  
 SUBSTITUTE SENATE BILL NO. 4231,  
 SENATE BILL NO. 4236,  
 SUBSTITUTE SENATE BILL NO. 4255,  
 SENATE BILL NO. 4262,  
 SUBSTITUTE SENATE BILL NO. 4267,  
 SENATE BILL NO. 4278,  
 ENGROSSED SENATE BILL NO. 4302,  
 SENATE JOINT MEMORIAL NO. 109,  
 SENATE JOINT MEMORIAL NO. 127,  
 ENGROSSED SENATE CONCURRENT RESOLUTION NO. 106.

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

## INTRODUCTIONS AND FIRST READING

SSB 3035 by Committee on Transportation (originally sponsored by Senators McManus, DeJarnatt, Stratton, Talmadge, Garrett and Moore)

Modifying provisions relating to drivers' and motorcyclists' licenses.

Referred to Committee on Transportation.

SSB 3125 by Committee on Transportation (originally sponsored by Senators Conner, Hansen and Garrett; by Department of Transportation request)

Authorizing construction of the Quinault Tribal Highway.

Referred to Committee on Transportation.

SSB 3306 by Committee on Judiciary (originally sponsored by Senators Newhouse, Talmadge, Owen, Bauer, Rasmussen, Vognild, Deccio and Lee)

Requiring liability insurance as a condition for licensing a motor vehicle.

Referred to Committee on Financial Institutions & Insurance.

ESSB 3367 by Committee on Judiciary (originally sponsored by Senators Talmadge and Newhouse; by Public Disclosure Commission request)

Revising public disclosure laws.

Referred to Committee on Constitution, Elections & Ethics.

SSB 3469 by Committee on Governmental Operations (originally sponsored by Senators Thompson, McCaslin, Garrett, Zimmerman and McManus)

Modifying provisions relating to annexation and boundary review.

Referred to Committee on Local Government.

SSB 3558 by Committee on Education (originally sponsored by Senators Thompson, Metcalf and Conner)

Authorizing state support of Washington students pursuing maritime studies out of state.

Referred to Committee on Higher Education.

SB 3601 by Senators Guess, Hansen, Patterson, Peterson, Owen, Barr and Benitz.

Revising proportional licensing of motor vehicles.

Referred to Committee on Transportation.

SSB 3797 by Committee on Education (originally sponsored by Senators Bauer, Thompson, Zimmerman and Conner)

Revising the laws for the state school for the deaf and the state school for the blind.

Referred to Committee on Education.

ESSB 3799 by Committee on Energy & Utilities (originally sponsored by Senators Stratton and Williams)

Increasing the state radiation control agency's responsibilities with regard to radiation control.

Referred to Committee on Energy & Utilities.

SSB 3808 by Committee on Energy & Utilities (originally sponsored by Senators McManus, Williams, Zimmerman, Stratton and Halsan)

Authorizing a study of the impact of siting a high-level radioactive waste storage repository in Washington.

Referred to Committee on Energy & Utilities.

E2SSB 3828 by Committee on Ways & Means (originally sponsored by Senators Talmadge, Kreidler, Bluechel, McDermott, Conner, Lee, Rasmussen, Cantu, Gaspard, Kiskaddon, Granlund, Craswell, Warnke, Goltz, Johnson, Moore, McManus, Peterson, Bailey, Fleming, Bender, Halsan, Zimmerman, Williams, von Reichbauer, Garrett and Vognild; by Governor request)

Reestablishing the Puget Sound water quality authority.

Referred to the Select Committee on the Clean-up and Management of Puget Sound.

ESSB 3837 by Committee on Commerce & Labor (originally sponsored by Senators Wojahn, McDermott, Vognild, Stratton, Warnke and Fleming)

Providing for early warnings of reductions in business operations.

Referred to Committee on Trade & Economic Development.

ESSB 3856 by Committee on Commerce & Labor (originally sponsored by Senators Vognild, Hansen, McManus, Metcalf, Bottiger, Zimmerman and Stratton)

Establishing a state fire protection board.

Referred to Committee on State Government.

ESSB 3877 by Committee on Natural Resources (originally sponsored by Senators Stratton, Saling, Guess, Conner, Lee, Barr, Halsan, Kreidler, Johnson, Warnke, Hansen, Goltz and Vognild)

Revising provisions relating to personal use licenses of the department of fisheries.

Referred to Committee on Natural Resources.

SSB 3897 by Committee on Financial Institutions (originally sponsored by Senators Bender, Talmadge, McDermott, Halsan, Vognild and Moore)

Establishing new reporting requirements for property and casualty insurers.

Referred to Committee on Financial Institutions & Insurance.

SSB 3989 by Committee on Financial Institutions (originally sponsored by Senator Moore)

Revising provisions relating to insurance coverage for mastectomies.

Referred to Committee on Financial Institutions & Insurance.

2SSB 4136 by Committee on Ways & Means (originally sponsored by Senators Hansen, Fleming, Goltz, Benitz, Bauer, Barr, Bailey, Deccio, McDermott, Sellar and Patterson)

Authorizing bonds for water supply projects.

Referred to Committee on Ways & Means.

ESB 4152 by Senators Rinehart, Gaspard, Goltz and Bauer

Including high school students and recent graduates as residents for higher education tuition and fees.

Referred to Committee on Higher Education.

SB 4168 by Senators Talmadge, Zimmerman and Garrett

Empowering a metropolitan municipal corporation to collect connection charges.

Referred to Committee on Local Government.

SB 4216 by Senators Granlund and Kreidler

Prohibiting dentists from waiving the copayment requirements of a contract.

Referred to Committee on Social & Health Services.

SSB 4231 by Committee on Natural Resources (originally sponsored by Senators Owen, Conner, McDonald and Zimmerman; by Department of Game request)

Adjusting hunting and fishing license fees.

Referred to Committee on Natural Resources.

SB 4236 by Senators Wojahn and McDermott; by Deferred Compensation Committee request

Implementing the deferred compensation committee's operational activity appropriation.

Referred to Committee on Ways & Means.

SSB 4255 by Committee on Parks & Ecology (originally sponsored by Senators McDermott and Kreidler)

Establishing a mechanism to finance the cleanup of releases of hazardous substances.

Referred to Committee on Environmental Affairs.

SB 4262 by Senators Owen, Benitz, Stratton and McManus

Changing date for expiration of joint operating agencies' contracting authority.

Referred to Committee on Energy & Utilities.

ESB 4267 by Committee on Transportation (originally sponsored by Senators Hansen and Sellar)

Authorizing the department of transportation to buy and sell abandoned rail rights of way.

Referred to Committee on Transportation.

SB 4278 by Senators Metcalf and Guess

Establishing procedures for redemption of a vehicle impounded from an unlicensed driver.

Referred to Committee on Transportation.

ESB 4302 by Senators Wojahn, McDermott and Williams

Revising provisions relating to lie detectors.

Referred to Committee on Commerce & Labor.

SJM 109 by Senators Goltz, Williams and Saling

Petitioning the U.S. Department of Energy to shut down operations at the PUREX plant under certain circumstances.

Referred to Committee on Energy & Utilities.

SJM 127 by Senators Bottiger, Bluechel and Moore

Petitioning Congress to undertake a study on vessel air emissions.

Referred to Committee on Transportation.

ESCR 106 by Senators Talmadge, McManus, Williams and McDermott

Urging the highest priority for the pursuit of causes of action under the Nuclear Waste Policy Act of 1982.

Referred to Committee on Energy & Utilities.

#### MOTION

On motion of Mr. J. King, the bills, memorials and the resolution listed on today's introduction calendar were considered first reading under the fourth order of business and referred to the committees designated.

#### STATEMENT FOR THE JOURNAL

I would like the following votes registered in the Journal as I was excused on Saturday, March 16, 1985:

HB 268, Yes; 2SHB 738, Yes; EHB 943, No; ESHB 957, Yes; ESHB 1106, Yes; SHB 1169, Yes; ESHB 760, Yes; SHB 546, Yes; EHJR 42, Yes; ESHB 577, Yes; ESHB 494, Yes; SHB 890, Yes; ESHB 550, Yes; ESHB 317, Yes; SHB 223, No; ESHB 223, Yes; SHB 1046, Yes; SHJR 30, Yes; ESHB 323, No; SHB 406, Yes; SHB 831, Yes; SHB 1080, Yes; HJM - motion to reconsider, Yes; HJM 12, Yes.

LINDA THOMAS, 49th District.

## MOTION

On motion of Mr. J. King, the House was adjourned until 10:00 a.m., Monday, March 18, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk

## SIXTY-FOURTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Monday, March 18, 1985.

The House was called to order at 10:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Addison and McMullen.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Heather Seymour and David Hong. Prayer was offered by The Reverend David Shaw, Minister of the First Baptist Church of Olympia.

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

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

## THIRD READING

HOUSE BILL NO. 357, by Representatives Brekke, Lewis, Braddock, Brooks, Armstrong and Day; by Department of Social and Health Services request

Establishing procedures for the disclosure by state agencies of personal records for research purposes.

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

Ms. Brekke spoke in favor of passage of the bill, and Mr. Padden spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 357, and the bill failed to pass the House by the following vote: Yeas, 31; nays, 60; absent, 7.

Voting yea: Representatives Armstrong, Basich, Braddock, Brough, Crane, Day, Dellwo, Fisch, Fisher, Gallagher, Grimm, Hine, King J, King R, Leonard, Lewis, O'Brien, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wilson K, and Mr. Speaker - 31.

Voting nay: Representatives Allen, Appelwick, Ballard, Barnes, Barrett, Baugher, Belcher, Betzoff, Bond, Brekke, Bristow, Brooks, Chandler, Cole, Dobbs, Doty, Ebersole, Fuhrman, Hankins, Hargrove, Hastings, Haugen, Holland, Isaacson, Jacobsen, Kremen, Locke, Long, Madsen, May, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, Padden, Patrick, Peery, Prince, Rayburn, Sanders, Schmidt, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Wineberry, Winsley, Zellinsky - 60.

Absent: Representatives Addison, King P, Lundquist, Lux, McMullen, Schoon, Wang - 7.

House Bill No. 357, having failed to receive the constitutional majority, was declared lost.

## NOTICE OF RECONSIDERATION

Ms. Brekke, having voted on the prevailing side, served notice that she would, on the next working day, move for reconsideration of the vote by which House Bill No. 357 failed to pass the House.

SUBSTITUTE HOUSE BILL NO. 493, by Committee on State Government (originally sponsored by Representatives Valle, Todd, Jacobsen, Leonard, Barnes, Ebersole, Cole, Rust, Crane, Appelwick, Braddock, D. Nelson and Miller)

Establishing a seismic safety commission.

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

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

## POINT OF INQUIRY

Ms. Valle yielded to question by Mr. Sanders.

Mr. Sanders: "Representative Valle, I notice there's no fiscal note in our books. What's the cost of this program?"

Ms. Valle: "The original bill did have a \$200,000 fiscal note and it's considerably scaled down. It is handled in the Department of Emergency Management and the people who serve on the commission do get expenses for travel."

Representatives Sanders, J. Williams, S. Wilson and Locke spoke against passage of the bill.

## MOTION

On motion of Mr. J. King, further consideration of Substitute House Bill No. 493 was deferred, and it was ordered placed at the bottom of the third reading calendar.

The Speaker declared the House to be recessed until 1:15 p.m.

## AFTERNOON SESSION

The House was called to order at 1:15 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Addison and McMullen.

There being no objection, the House reverted to the fourth order of business.

## MESSAGE FROM THE SENATE

March 16, 1985

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 3134,  
 SENATE BILL NO. 3140,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3235,  
 SENATE BILL NO. 3259,  
 SENATE BILL NO. 3278,  
 SUBSTITUTE SENATE BILL NO. 3294,  
 SUBSTITUTE SENATE BILL NO. 3350,  
 ENGROSSED SENATE BILL NO. 3357,  
 SUBSTITUTE SENATE BILL NO. 3439,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3510,  
 SUBSTITUTE SENATE BILL NO. 3518,  
 SUBSTITUTE SENATE BILL NO. 3574,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3621,  
 SENATE BILL NO. 3830,  
 SENATE BILL NO. 4153,  
 SENATE JOINT MEMORIAL NO. 110,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

## INTRODUCTIONS AND FIRST READING

ESB 3134 by Senators Goltz, Patterson, Gaspard, Saling, Johnson, Bauer, Garrett, Benitz, McDermott, Stratton, Rinehart and Lee

Permitting installment payments of tuition and fees at institutions of higher education.

Referred to Committee on Higher Education.



SB 3140 by Senators Patterson, Gaspard, Rinehart, Goltz, Saling, Johnson, Warnke, Halsan, Bender, Conner, Garrett, DeJarnatt, Stratton, McManus and McDermott

Modifying charges for higher education students taking two or fewer credit hours or more than eighteen credit hours.

Referred to Committee on Higher Education.

ESSB 3235 by Committee on Education (originally sponsored by Senators Gaspard, McDermott, Bottiger, Rinehart, Warnke, Wojahn, Bender and Garrett)

Providing programs for educational excellence.

Referred to Committee on Education.

SB 3259 by Senators Rasmussen and Warnke

Exempting specified handicapped persons from hunting and fishing license requirements.

Referred to Committee on Natural Resources.

SB 3278 by Senators Gaspard, Patterson, Rinehart, Goltz and McDermott

Waiving higher education fees for students of foreign nations.

Referred to Committee on Higher Education.

SSB 3294 by Committee on Education (originally sponsored by Senators Fleming, Wojahn and McManus)

Establishing a high-risk student program.

Referred to Committee on Education.

SSB 3350 by Committee on Education (originally sponsored by Senators Gaspard, Patterson and Barr)

Preventing the redesignation of a school district due to joint operation of certain programs.

Referred to Committee on Education.

ESB 3357 by Senators Gaspard, Johnson, Bottiger, Granlund, Craswell, Halsan, Metcalf, Owen, Kiskaddon, Wojahn, Saling, Pullen, Stratton, Vognil, Hansen, von Reichbauer and Peterson

Removing the one year limit on the waiver of the out-of-state fee differential for military personnel and their spouses and dependents.

Referred to Committee on Higher Education.

SSB 3439 by Committee on Education (originally sponsored by Senators Gaspard, McDermott, Bauer, Deccio, Sellar, Vognil, Johnson and Wojahn)

Requiring a specified staff student ratio for vocational education programs.

Referred to Committee on Education.

ESSB 3510 by Committee on Education (originally sponsored by Senators Bauer, Gaspard, Benitz, DeJarnatt, Rasmussen and Bender; by Temporary Committee on Educational Policies request)

Revising the program of remediation.

Referred to Committee on Education.

SSB 3518 by Committee on Education (originally sponsored by Senators Bauer, Gaspard, Benitz, Moore, DeJarnatt, Goltz, Warnke, Bender,

Kiskaddon, Conner, Bailey and Johnson; by Temporary Committee on Educational Policies request)

Enhancing early childhood education.

Referred to Committee on Education.

SSB 3574 by Committee on Ways & Means (originally sponsored by Senators Gaspard, Sellar, Thompson, Warnke, Johnson, Rasmussen and Wojahn)

Modifying provisions on leasehold excise taxation.

Referred to Committee on Ways & Means.

ESSB 3621 by Committee on Education (originally sponsored by Senators Bauer, Benitz, Goltz, McDonald, Hayner, McManus, Guess and Sellar; by Temporary Committee on Educational Policies, Structure and Management request)

Providing for a career ladder for teachers.

Referred to Committee on Education.

SB 3830 by Senators Garrett, Saling and Williams

Requiring full compensation for street vacations acquired at public expense.

Referred to Committee on Local Government.

SB 4153 by Senators Rinehart, Patterson, Gaspard and Goltz

Adjusting higher education tuition and fees.

Referred to Committee on Higher Education.

SJM 110 by Senators Bauer, Benitz, DeJarnatt, Warnke, Bender and Conner; by Temporary Committee on Educational Policies request

Petitioning Congress to support a federal college savings plan.

Referred to Committee on Higher Education.

#### MOTION

On motion of Mr. Appelwick, the bills and the memorial listed on today's introduction calendar were considered first reading under the fourth order of business and referred to the committees designated.

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

#### THIRD READING

REENGROSSED SUBSTITUTE HOUSE BILL NO. 23, by Committee on Local Government (originally sponsored by Representatives Haugen, Allen, Miller and Rayburn)

Providing regulations for compensation for members of special district governing bodies.

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

Representatives Haugen, Miller, Lux and Allen spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Substitute House Bill No. 23, and the bill passed the House by the following vote: Yeas, 84; nays, 12; absent, 2.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Scott, Silver, Smith C, Smitherman, Sommers, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander

Stoep, Vekich, Walk, Walker, Wang, Williams B, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 84.

Voting nay: Representatives Bond, Dobbs, Hargrove, Padden, Sanders, Schmidt, Schoon, Smith L, Sutherland, West, Williams J, Zellinsky - 12.

Absent: Representatives Addison, McMullen - 2.

Reengrossed Substitute House Bill No. 23, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Addison appeared at the bar of the House.

ENGROSSED HOUSE BILL NO. 830, by Representatives Kremen, Braddock, McMullen, Haugen, Tanner, Day and Sayan

Facilitating the siting and expansion of business.

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

Representatives Kremen and Smitherman spoke in favor of passage of the bill, and Representatives Fuhrman and J. Williams spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 830, and the bill passed the House by the following vote: Yeas, 80; nays, 17; absent, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Brooks, Brough, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lux, Madsen, May, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 80.

Voting nay: Representatives Betrozoff, Bond, Chandler, Dobbs, Fuhrman, Hastings, Isaacson, Lundquist, Nealey, Padden, Prince, Sanders, van Dyke, Van Luven, Vander Stoep, West, Williams J - 17.

Absent: Representative McMullen - 1.

Engrossed House Bill No. 830, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative McMullen appeared at the bar of the House.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1207, by Committee on Trade & Economic Development (originally sponsored by Representative McMullen)

Establishing an emergency pilot vocational training program.

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

Representatives Tanner and Schoon spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1207, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Engrossed Substitute House Bill No. 1207, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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

ENGROSSED SUBSTITUTE HOUSE JOINT RESOLUTION NO. 6, by Committee on State Government (originally sponsored by Representatives Ehlers, S. Wilson, J. King, Ballard, Hine, G. Nelson, Belcher, Barrett, Grimm, Crane, Armstrong, Allen, Gallagher, Hankins, Leonard, May, D. Nelson, Holland, O'Brien, Winsley, Lewis, Silver, Day, B. Williams, Miller and Isaacson)

Providing for the organization of state government.

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

Representatives Ehlers, G. Nelson, Belcher, Sommers, B. Williams and Hankins spoke in favor of passage of the resolution, and Representatives S. Wilson, Fuhrman, West, Addison, Lundquist, Dobbs and Sanders spoke against it.

Mr. Crane demanded the previous question and the demand was sustained.

Mr. Ehlers closed debate, speaking again in favor of the resolution.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Joint Resolution No. 6, and the resolution passed the House by the following vote: Yeas, 70; nays, 28.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brough, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lux, Madsen, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Peery, Prince, Rayburn, Rust, Sayan, Schoon, Scott, Smitherman, Sommers, Sutherland, Tanner, Tilly, Todd, Unsoeld, Valle, Vander Stoep, Vekich, Walk, Williams B, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 70.

Voting nay: Representatives Addison, Barrett, Bond, Brooks, Chandler, Dobbs, Doty, Fuhrman, Hastings, Lundquist, May, Nealey, Padden, Patrick, Sanders, Schmidt, Silver, Smith C, Smith L, Taylor, Thomas, van Dyke, Van Luven, Walker, Wang, West, Williams J, Wilson S - 28.

Engrossed Substitute House Joint Resolution No. 6, having received the constitutional two-thirds majority, was declared passed.

#### MOTION

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

#### SECOND READING

HOUSE BILL NO. 141, by Representatives Ebersole, Betrozoff, Cole, Holland, Valle, Schoon, Walker, Long, Hastings, P. King, Tanner, Isaacson, van Dyke, Dobbs, May and Crane; by Superintendent of Public Instruction request

Providing for a tenth grade achievement test.

The bill was read the second time. On motion of Mr. Ebersole, Second Substitute House Bill No. 141 was substituted for House Bill No. 141, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 141 was read the second time.

Ms. L. Smith moved adoption of the following amendment:

On page 2, line 9 after "(4)" strike all material through "ten," on line 12 and insert "Each school district shall select a nationally normed standardized achievement test which reflects the scope, sequence and content of the school district's curriculum and administer said test to all grade ten students annually."

Representatives L. Smith, Holland and Taylor spoke in favor of the amendment, and Representatives Ebersole and Betrozoff spoke against it.

Ms. L. Smith spoke again in favor of the amendment.

The amendment was not adopted.

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

HOUSE BILL NO. 174, by Representatives Valle, Barrett, Winsley, P. King, Ebersole, Rayburn, Appelwick, Allen, Armstrong and Wang

Providing programs for educational excellence.

The bill was read the second time. On motion of Mr. Ebersole, Second Substitute House Bill No. 174 was substituted for House Bill No. 174, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 174 was read the second time.

Ms. Belcher moved adoption of the following amendment by Representatives Belcher, Valle and Ebersole:

On page 1, line 12 after "classroom" insert ". Mentor teachers shall be selected so as to represent a reasonable distribution throughout all districts"

Representatives Belcher and Ebersole spoke in favor of the amendment, and Mr. Schoon spoke against it.

The amendment was adopted.

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

Representatives Valle, Betzoff and Tilly spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 174, and the bill passed the House by the following vote: Yeas, 97; nays, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Voting nay: Representative Lewis - 1.

Engrossed Second Substitute 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.

HOUSE BILL NO. 587, by Representatives Grimm, Betzoff, Ebersole, Sommers, S. Wilson, May, Schoon, Brough, Patrick, C. Smith, Miller, Walker, Barnes and Long; by Temporary Committee on Educational Policies, Structure & Management request

Establishing additional requirements for teacher preparation and certification.

The bill was read the second time. On motion of Mr. Ebersole, Second Substitute House Bill No. 587 was substituted for House Bill No. 587, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 587 was read the second time.

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

On page 1, beginning on line 23 strike all material through "district;" on line 27 and renumber the remaining subsections.

On page 6, line 29 strike "sections 1 through 3 and 6 though 8" and insert "section 3"

Mr. Vander Stoep moved adoption of the following amendment:

On page 6, after line 25 strike all material down to and including "void." on line 32 and renumber the remaining sections consecutively.

Representatives Vander Stoep and Taylor spoke in favor of the amendment, and Mr. Braddock spoke against it.

## POINT OF INQUIRY

Mr. Braddock yielded to question by Mr. Lewis.

Mr. Lewis: "Representative Braddock, if this becomes law and if this amendment is lost and there is no appropriation, will be the bill be codified?"

Mr. Braddock: "It would pass; it would be on the books, but it would not be codified. It would not be in the RCWs. It would be on the House books and the Senate books that it had passed, but I don't believe it would be codified. They would not put it in the RCWs."

Representatives Lewis and Long spoke in favor of the amendment, and Mr. Ebersole spoke against it.

Mr. Braddock spoke again in opposition to the amendment, and Mr. Vander Stoep spoke again in favor of it.

A division was called.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Vander Stoep to Second Substitute House Bill No. 587, and the amendment was not adopted by the following vote: Yeas, 47; nays, 51.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Vekich, Walker, West, Williams B, Williams J, Wilson S, Winsley, Zellinsky - 47.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsöld, Valle, Walk, Wang, Wilson K, Wineberry, and Mr. Speaker - 51.

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

Representatives Ebersole, Betzoff and Taylor spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 587, and the bill passed the House by the following vote: Yeas, 96; nays, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsöld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representatives Fuhrman, Lewis - 2.

Engrossed Second Substitute House Bill No. 587, having received the 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. 849, by Representatives Wang, Schoon, Appelwick, Todd, Ebersole, Valle, Haugen, Peery, Rayburn, Long, Tanner, Zellinsky, Brough and Walker

Providing for teacher evaluation.

The bill was read the second time. On motion of Mr. Ebersole, Second Substitute House Bill No. 849 was substituted for House Bill No. 849, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 849 was read the second time.

Mr. Wang moved adoption of the following amendments:

On page 5, line 10 strike "sixty" and insert "thirty"

On page 5, line 10 strike "at least twice"

Representatives Wang and Ebersole spoke in favor of the amendments, and they were adopted.

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

On page 6, line 6 after ".065" insert "Such programs shall include specific standards of performance or detailed work expectations against which performance can be measured"

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

On page 6, line 33 strike "and the amendments to RCW 28A.67.065 by section 5 of this act."

Mr. Betzoff moved adoption of the following amendment:

Beginning on page 6 after line 29 strike all of section 10 and renumber the remaining sections consecutively.

Representatives Betzoff and Barnes spoke in favor of the amendment, and Representatives Braddock, Taylor and Wang spoke against it.

A division was called.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Betzoff to Second Substitute House Bill No. 849, and the amendment was not adopted by the following vote: Yeas, 45; nays, 53.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 45.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 53.

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

Representatives Wang, Betzoff, Ebersole and Schoon spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 849, and the bill passed the House by the following vote: Yeas, 97; nays, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander

Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Voting nay: Representative Lewis - 1.

Engrossed Second Substitute House Bill No. 849, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker resumed the Chair.

HOUSE BILL NO. 1056, by Representatives Peery, Ebersole, Appelwick, Wang, Todd, Jacobsen, G. Nelson, Holland, J. Williams, Allen and May

Establishing school-based management pilot projects.

The bill was read the second time. On motion of Mr. Ebersole, Second Substitute House Bill No. 1056 was substituted for House Bill No. 1056, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 1056 was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Peery, Betzoff, Jacobsen and Hastings spoke in favor of passage of the bill, and Mr. Fuhrman spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1056, and the bill passed the House by the following vote: Yeas, 96; nays, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representatives Fuhrman, Lewis - 2.

Second Substitute House Bill No. 1056, having received the 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. 1078, by Representatives P. King, Betzoff, Smitherman, Wang, Leonard, Vekich, Cole, Jacobsen, Basich, Appelwick, R. King, Tilly, Winsley, Armstrong and Todd; by Governor request

Providing an early childhood assistance program.

The bill was read the second time. On motion of Mr. Ebersole, Second Substitute House Bill No. 1078 was substituted for House Bill No. 1078, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 1078 was read the second time.

Ms. Walker moved adoption of the following amendment:

On page 3, line 22 after "assistance," insert "The office of the superintendent of public instruction shall assist the governor in the preparation of the report and shall be consulted on all issues addressed in said report."

Representatives Walker and Ebersole spoke in favor of the amendment, and it was adopted.

Mr. Vander Stoep moved adoption of the following amendments:

On page 3, line 35 after "transportation;" strike "and"

On page 4, line 2 after "program" insert "; and,

(5) The establishment of a system to examine and monitor the effectiveness of preschool educational and assistance services for disadvantaged children to measure, among other elements, if possible, how the children completing this program compare to the average level of performance of all state students in their grade level, and to those at risk students who do not



have access to this program. The evaluation system shall examine how the percentage of these children needing access to special education or remedial programs compares to the overall percentage of children needing such services and compares to the percentage of at risk students who do not have access to this program needing such services."

Representatives Vander Stoep and Ebersole spoke in favor of the amendments, and they were adopted.

Mr. Prince moved adoption of the following amendments:

On page 4, line 20 after "appropriations" strike "act" and insert "act(s)"

On page 4, line 20 after "fiscal" strike "year" and insert "biennium"

Mr. Prince spoke in favor of the amendments.

#### POINT OF INQUIRY

Mr. Prince yielded to question by Mr. Ebersole.

Mr. Ebersole: "Representative Prince, you would be moving the null and void one year down the road? Is that the idea?"

Mr. Prince: "The intent is to give us the full biennium to implement the legislation through appropriation."

Mr. Ebersole spoke against the amendments, and they were not adopted.

Mr. Tilly moved adoption of the following amendment:

On page 4, after line 17 strike all of section 11 and renumber the remaining sections consecutively.

Representatives Tilly and Taylor spoke in favor of the amendment, and Representatives Ebersole and Braddock spoke against it.

Mr. Tilly spoke again in favor of the amendment.

#### POINT OF INQUIRY

Mr. Ebersole yielded to question by Mr. B. Williams.

Mr. B. Williams: "Representative Ebersole, I notice that the fiscal note has a fiscal impact of \$14,996,900. If only one million dollars is put into the budget, does the total act go into effect or just a part of the act?"

Mr. Ebersole: "My understanding, Representative Williams, is that the way the bill is drafted, the second substitute is consistent with the governor's budget request."

A division was called.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Tilly to Second Substitute House Bill No. 1078, and the amendment was not adopted by the following vote: Yeas, 44; nays, 54.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G. Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 44.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smith L, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 54.

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

HOUSE BILL NO. 1065, by Representatives Rayburn, Long, Cole, McMullen, Berozoff, K. Wilson, Haugen and Todd

Providing funds for an in-service program on academic efficiency and classroom management.

The bill was read the second time. On motion of Mr. Ebersole, Second Substitute House Bill No. 1065 was substituted for House Bill No. 1065, and the second substitute bill was placed on the calendar for second reading.

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

Mr. Vander Stoep moved adoption of the following amendment:

On page 1, line 23 strike all remaining material and insert "This act shall become law unless the funding for the act is specifically excluded in the omnibus appropriations act for the fiscal year beginning July 1, 1985."

Mr. Vander Stoep spoke in favor of the amendment, and Mr. Braddock spoke against it.

A division was called.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Vander Stoep to Second Substitute House Bill No. 1065, and the amendment was not adopted by the following vote: Yeas, 45; nays, 53.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Berozoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G. Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C. Smith L. Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B. Williams J. Wilson S. Winsley - 45.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J. King P. King R. Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D. Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K. Wineberry, Zellinsky, and Mr. Speaker - 53.

Mr. Lundquist moved adoption of the following amendment:

On page 1, after line 22 strike all material down to and including "void," on line 26.

Representatives Lundquist and van Dyke spoke in favor of the amendment, and Mr. Braddock spoke against it.

The amendment was not adopted.

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

Representatives Rayburn, Berozoff and Ebersole spoke in favor of passage of the bill, and Mr. Lewis spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1065, and the bill passed the House by the following vote: Yeas, 96; nays, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Berozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J. King P. King R. Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D. Nelson G. Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C. Smith L. Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B. Williams J. Wilson K. Wilson S. Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representatives Fuhrman, Lewis - 2.

Second Substitute House Bill No. 1065, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 183, by Representatives Day, Padden, Appelwick, Madsen, Lewis, Taylor, D. Nelson, Winsley, S. Wilson, Schoon, Bond, Van Luven, Sanders, Long, R. King, G. Nelson, Isaacson, Patrick, Ballard, Hastings, Dellwo, Walker, C. Smith, May, Addison, Holland, Hankins, Doty, Tanner, Miller, Silver, Wang, Tilly and J. Williams

Expanding the sales and use tax exemption for meals furnished to senior citizens.

The bill was read the second time. On motion of Mr. J. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Day and Padden spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 183, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

House 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.

HOUSE BILL NO. 133, by Representatives Dellwo, Taylor, Padden, Day, Silver, Barrett and Kremen

Permitting more motels to be listed on highway information panels.

The bill was read the second time. On motion of Mr. Walk, Substitute House Bill No. 133 was substituted for House Bill No. 133, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 133 was read the second time.

Mr. Dellwo moved adoption of the following amendments by Representatives Dellwo, Barrett, Taylor and Day:

On page 1, line 16 before the period insert "at locations where there is adequate distance between interchanges to ensure compliance with the provisions of Title 23 C.F.R. sec. 655.307(a)"

On page 2, line 11 after the period insert "Such specific information panels shall be permitted only at locations within the corporate limits of cities and towns and areas zoned for commercial or industrial uses where there is adequate distance between interchanges to ensure compliance with the provisions of Title 23 C.F.R. secs. 655.308(a) and 655.309(a)."

Mr. Dellwo spoke in favor of the amendments.

#### POINT OF INQUIRY

Mr. Dellwo yielded to question by Ms. Schmidt.

Ms. Schmidt: "Representative Dellwo, the purpose of the amendments is to take care of the situation which would prohibit the installation of logo signs at any location where there would be a conflict of existing signs?"

Mr. Dellwo: "If I understand you correctly, the purpose of the amendments would be to comply with the federal act that would require certain stations. It would require no accumulation of large numbers of signs."

Ms. Schmidt: "Does it also address, based on the current signs that are there?"

Mr. Dellwo: "Those would definitely have to be taken into consideration."

Ms. Schmidt spoke against the amendments, and Mr. Taylor spoke in favor of them.

The amendments were adopted.

Mr. Dellwo moved adoption of the following amendment by Representatives Dellwo, Barrett, Taylor and Day:

On page 3, after line 9 insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 47.42 RCW to read as follows:

If the secretary of the United States department of transportation finds any part of this chapter to be in conflict with federal requirements that are a prescribed condition to the allocation of federal funds to the state, the conflicting part of this chapter is hereby declared to be inoperative solely to the extent of the conflict and with respect to the agencies directly affected, and such finding or determination shall not affect the operation of the remainder of this chapter in its application to the agencies concerned. The rules under this chapter shall meet federal requirements that are a necessary condition to the receipt of federal funds by the state."

Representatives Dellwo and Schmidt spoke in favor of the amendment.

#### POINT OF INQUIRY

Ms. Schmidt yielded to question by Mr. Prince.

Mr. Prince: "Representative Schmidt, what is the real intent? Would the signs go up first and be taken down if the federal government doesn't agree or would they determine whether or not they were legal before they go up?"

Ms. Schmidt: "Representative Prince, when I spoke to the Department of Transportation today, they indicated it is their intent not to put any signs up until they receive federal highway administration approval; that way we would not lose state funding and they would go along with this, so they do not intend to put the signs up first and wait to see what happens."

The amendment was adopted.

On motion of Mr. Dellwo, the following amendment to the title of the bill was adopted:

On line 2 of the title after "adding" strike "a new section" and insert "new sections"

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

Representatives Dellwo and Day spoke in favor of the bill, and Ms. Schmidt spoke against it.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 133, and the bill passed the House by the following vote: Yeas, 88; nays, 10.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brough, Chandler, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 88.

Voting nay: Representatives Barnes, Brooks, Cole, Hastings, Lundquist, Schmidt, Schoon, Van Luven, Williams J, Wilson S - 10.

Engrossed House 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.

#### MOTION FOR RECONSIDERATION

Mr. Padden, having served previous notice, moved for immediate reconsideration of the vote by which SUBSTITUTE HOUSE BILL NO. 435 passed the House.

The motion was carried.

On motion of Mr. J. King, the rules were suspended and the bill was returned to second reading for the purpose of amendment.

Substitute House Bill No. 435 was read the second time.

Ms. Silver moved adoption of the following amendment:

On page 1, line 16 after "receiving" strike "ninety percent of his or her base monthly salary" and insert "the same pay he or she would have received for full time active service, taking into account that industrial insurance payments are not subject to federal income or social security taxes, as would have been received for full time active service."

Representatives Silver and Wang spoke in favor of the amendment, and it was adopted.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 435, and the bill passed the House by the following vote: Yeas, 93; nays, 5.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives Belcher, Fuhrman, Hastings, Lundquist, Nealey - 5.

Engrossed Substitute House Bill No. 435, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. J. King, all bills passed by the House today were ordered immediately transmitted to the Senate.

#### MOTION

On motion of Mr. J. King, the House was adjourned until 9:30 a.m., Tuesday, March 19, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk

## SIXTY-FIFTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, March 19, 1985.

The House was called to order at 9:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representative Cole, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Sheri Hartman and Debbie Siegel. Prayer was offered by The Reverend David Shaw, Minister of the First Baptist Church of Olympia.

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

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

## THIRD READING

SECOND SUBSTITUTE HOUSE BILL NO. 141, by Committee on Ways & Means (originally sponsored by Representatives Ebersole, Betrozoff, Cole, Holland, Valle, Schoon, Walker, Long, Hastings, P. King, Tanner, Isaacson, van Dyke, Dobbs, May and Crane; by Superintendent of Public Instruction request)

Providing for a tenth grade achievement test.

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

Representatives Taylor, Brough and Sanders spoke against passage of the bill, and Representatives Valle, Ebersole, Schoon, Betrozoff and Long spoke in favor of it.

Mr. Taylor again opposed the bill, and Mr. Ebersole spoke again in favor of it.

## ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 141, and the bill passed the House by the following vote: Yeas, 61; nays, 32; absent, 4; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Basich, Baugher, Betrozoff, Braddock, Bristow, Brooks, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hastings, Hine, Holland, King J, King P, King R, Leonard, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Schmidt, Schoon, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Valle, van Dyke, Van Luven, Walker, Williams J, Wilson K, Winsley - 61.

Voting nay: Representatives Ballard, Belcher, Brough, Chandler, Dobbs, Doty, Fuhrman, Hargrove, Haugen, Jacobsen, Kremen, Lewis, Locke, Padden, Sanders, Sayan, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, Unsoeld, Vander Stoep, Walk, Wang, West, Williams B, Wilson S, Wineberry, Zellinsky, and Mr. Speaker - 32.

Absent: Representatives Bond, Brekke, Isaacson, Vekich - 4.

Excused: Representative Cole - 1.

Second Substitute House Bill No. 141, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## STATEMENT FOR THE JOURNAL

Please let the record show that I intended to vote "Aye" on Second Substitute House Bill No. 141.

RAY ISAACSON, 8th District.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1078, by Committee on Ways & Means (originally sponsored by Representatives P. King, Betrozoff, Smitherman, Wang, Leonard, Vekich, Cole, Jacobsen, Basich, Appelwick, R. King, Tilly, Winsley, Armstrong and Todd; by Governor request)

Providing an early childhood assistance program.

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

Representatives P. King, Basich, Ebersole and Leonard spoke in favor of passage of the bill, and Representatives Betrozoff, Holland, Schoon and L. Smith spoke against it.

Mr. Crane demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1078, and the bill failed to pass the House by the following vote: Yeas, 46; nays, 51; excused, 1.

Voting yea: Representatives Armstrong, Barrett, Basich, Baugher, Belcher, Brekke, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hine, Jacobsen, King J, King R, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Peery, Rust, Sayan, Scott, Sommers, Sutherland, Tanner, Tilly, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 46.

Voting nay: Representatives Addison, Allen, Appelwick, Ballard, Barnes, Betrozoff, Bond, Braddock, Bristow, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hargrove, Hastings, Haugen, Holland, Isaacson, King P, Kremen, Lewis, Long, Lundquist, May, Miller, Nealey, Padden, Patrick, Prince, Rayburn, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Taylor, Thomas, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson K, Wilson S - 51.

Excused: Representative Cole - 1.

Engrossed Second Substitute House Bill No. 1078, having failed to receive the constitutional majority, was declared lost.

#### NOTICE OF RECONSIDERATION

Mr. Appelwick, having voted on the prevailing side, served notice that he would, on the next working day, move for reconsideration of the vote by which Engrossed Second Substitute House Bill No. 1078 failed to pass the House.

Representative Cole appeared at the bar of the House.

HOUSE JOINT RESOLUTION NO. 23, by Representative Tanner

Authorizing ad valorem taxing districts for public improvements.

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

Representatives Tanner and Addison spoke in favor of passage of the resolution.

#### ROLL CALL

The Clerk called the roll on the final passage of House Joint Resolution No. 23, and the resolution passed the House by the following vote: Yeas, 81; nays, 17.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Brooks, Brough, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Todd, Unsoeld, Valle, Vander Stoep, Vekich, Walk, Walker, Wang, Williams B, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 81.

Voting nay: Representatives Ballard, Betrozoff, Bond, Chandler, Dobbs, Fuhrman, Hastings, Lundquist, Nealey, Padden, Patrick, Prince, Tilly, van Dyke, Van Luven, West, Williams J - 17.

House Joint Resolution No. 23, having received the constitutional majority, was declared passed.

There being no objection, the House reverted to the sixth order of business.

## SECOND READING

HOUSE BILL NO. 393, by Representatives Brooks, Belcher, J. Williams, O'Brien and Hankins; by Department of General Administration request

Revising state competitive bidding procedures.

The bill was read the second time. On motion of Ms. Belcher, Substitute House Bill No. 393 was substituted for House Bill No. 393 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 393 was read the second time.

On motion of Mr. D. Nelson, the following amendments by Representatives D. Nelson and Belcher were adopted:

On page 1, line 28 after "control" insert "at the time the contract is awarded"

On page 3, line 23 after "control" insert "at the time the contract is awarded"

On page 4, line 20 after "committees." insert "The study required by this subsection shall include, for each contract entered into under this section, an analysis aimed at determining whether the use of competitive sealed proposals resulted in a lower total cost to the state than would have been incurred through a competitive sealed bid procedure. In determining the total cost to the state, the price of the technique, material or equipment and the cost of conducting the purchase shall be considered and, where appropriate, the life cycle costing technique as defined in RCW 43.19.1911 may be applied."

Mr. Addison moved adoption of the following amendment by Representatives Addison, Wang, Belcher, Rayburn and Kremen:

On page 4, after line 20 insert the following:

"Sec. 2. Section 1, chapter 68, Laws of 1981 and RCW 39.76.010 are each amended to read as follows:

(1) Except as provided in (~~RCW 39.76.020~~) this chapter, every state agency and unit of local government shall pay interest at the rate of one percent per month, but at least one dollar per month, on amounts due on (~~written~~) contracts for public works, personal services, goods and services, equipment, and travel, whenever the state agency or unit of local government fails to make timely payment.

(2) For purposes of this section, payment shall be considered timely if:

(a) A check or warrant is mailed or is available on the date specified for the amount specified in the applicable contract documents, if any, or, if no date is specified, within thirty days of receipt of a properly completed invoice or receipt of goods or services, whichever is later.

(b) For any amount which is required to be withheld under state or federal law, a check or warrant is mailed or is available in the proper amount on the date the amount may be released under the applicable law.

(3) 'Contract,' as used in this section, means any contract entered into by a state agency and a written contract entered into by a unit of local government.

NEW SECTION. Sec. 3. A new section is added to chapter 39.76 RCW to read as follows:

The special rules provided in this section shall apply to each contract of the department of labor and industries for which both: (1) The payment date is not specified in a contract document, if there is a contract document; and (2) the interest provided in RCW 39.76.010 would not have applied to the contract had it been entered into prior to the effective date of this 1985 act. The special rules are as follows: For the purposes of this chapter, payment on the department's contract shall be considered timely if made within sixty days of receipt of a properly completed invoice or receipt of goods or services, whichever is later, if the receipt is before July 1, 1987.

This section shall expire on July 1, 1987, but the expiration shall not affect any existing right acquired or liability or obligation incurred prior to July 1, 1987."

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

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

On page 1, line 1 of the title after "purchasing;" insert "amending RCW 39.76.010; adding a new section to chapter 39.76 RCW;"

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



HOUSE BILL NO. 1060, by Representatives Appelwick, Hastings, Sommers and Tilly

Modifying provisions on the taxation of food fish and shellfish.

The bill was read the second time. On motion of Mr. Braddock, Substitute House Bill No. 1060 was substituted for House Bill No. 1060 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1060 was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### POINT OF INQUIRY

Mr. Appelwick yielded to question by Ms. Allen.

Ms. Allen: "Representative Appelwick, I didn't understand your explanation and I wonder if you would mind explaining again what this bill does?"

Mr. Appelwick: "The tax that we are dealing with is a salmon enhancement tax that was originally intended to tax fish caught off the waters of the states of Washington, Oregon and Alaska. In recent practice, the Department of Revenue has been levying this landing tax on fish that are caught off South America and are brought here and landed in this state. The intention here is to clarify that the fish caught off local waters will be taxed under this tax and those moneys will be used for salmon enhancement, but the tax will not be levied on landing fish that are not from these waters."

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1060, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Sloep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 1060, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker declared the House to be at ease until 1:15 p.m.

#### AFTERNOON SESSION

The House was called to order at 1:15 p.m. by the Speaker.

#### MESSAGE FROM THE SENATE

March 18, 1985

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3056,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3066,  
 SECOND SUBSTITUTE SENATE BILL NO. 3200,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3251,  
 ENGROSSED SENATE BILL NO. 3444,  
 ENGROSSED SENATE BILL NO. 3762,  
 ENGROSSED SENATE BILL NO. 3804,  
 SUBSTITUTE SENATE BILL NO. 3882.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4305,  
 SENATE JOINT MEMORIAL NO. 111,  
 SENATE JOINT MEMORIAL NO. 112,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

INTRODUCTIONS AND FIRST READING

SSB 3056 by Committee on Education (originally sponsored by Senators Gaspard, Rinehart, von Reichbauer, Conner and Stratton)

Limiting salary increases for certain administrators and presidents of institutions of higher education.

Referred to Committee on Higher Education.

ESSB 3066 by Committee on Commerce & Labor (originally sponsored by Senators Moore, Sellar, Warnke, Barr, Vognild, Bottiger, Deccio, Peterson, Conner, Newhouse and Hansen)

Modifying provisions relating to gambling.

Referred to Committee on Commerce & Labor.

2SSB 3200 by Committee on Ways & Means (originally sponsored by Senators Talmadge, Granlund, Halsan and DeJarnatt)

Modifying provisions relating to crime victims' assistance.

Referred to Committee on Judiciary.

ESSB 3251 by Committee on Judiciary (originally sponsored by Senators Owen, Deccio, Bender, Warnke and Thompson)

Modifying methods for determining child custody and enforcing child support.

Referred to Committee on Judiciary.

ESB 3444 by Senators Fleming, Wojahn and Talmadge

Establishing the higher education opportunities program.

Referred to Committee on Higher Education.

ESB 3762 by Senators McDermott, Goltz, Bluechel, Warnke, McDonald, Fleming and Bender

Modifying administrative provisions on the convention and trade center.

Referred to Committee on Ways & Means.

ESB 3804 by Senators Zimmerman, McDermott, Talmadge and Kiskaddon

Modifying liability for "AIDS" in transactions involving blood donations.

Referred to Committee on Social & Health Services.

SSB 3882 by Committee on Governmental Operations (originally sponsored by Senators Thompson, McCaslin, McManus, Rasmussen and Johnson; by Military Department request)

Authorizing the state militia to retain cleaning deposits and utility costs associated with armory rentals.

Referred to Committee on State Government.

ESSB 4305 by Committee on Judiciary (originally sponsored by Senators Halsan and Talmadge)

Revising provisions governing bail bonds.

Referred to Committee on Judiciary.

SJM 111 by Senators Bauer, Benitz and Rasmussen; by Temporary Committee on Educational Policies request

Petitioning for federal action to increase minority participation in graduate education programs.

Referred to Committee on Higher Education.

SJM 112 by Senators Bauer, Gaspard, Benitz, Williams, Rasmussen, Granlund, Peterson, Warnke and Vognil; by Temporary Committee on Educational Policies request

Petitioning Congress to provide financial assistance to help the public school system accommodate non-English speaking students.

Referred to Committee on Education.

#### MOTIONS

On motion of Mr. J. King, the bills and memorials listed on today's introduction calendar were considered first reading under the fourth order of business and were referred to the committees designated.

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

On motion of Mr. J. King, HOUSE BILL NO. 484 was referred from Committee on Rules to Committee on Ways & Means;

HOUSE BILL NO. 573 was referred from Committee on Rules to Committee on Ways & Means;

HOUSE BILL NO. 1032 was referred from the second reading calendar to Committee on Rules; and

HOUSE BILL NO. 1165 was referred from the second reading calendar to Committee on Rules.

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

#### SECOND READING

HOUSE BILL NO. 10, by Representative Dellwo

Returning a regular driver's license to certain persons.

The bill was read the second time. With the consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 10, and the bill passed the House by the following vote: Yeas, 85; nays, 1; absent, 12.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Fisch, Fisher, Fuhrman, Grimm, Hankins, Hargrove, Hastings, Hine, Holland, Isaacson, Jacobsen, King J, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nelson D, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Sommers, Sutherland, Tanner, Taylor, Tilly, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Walk, Walker, Wang, West, Williams B, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 85.

Voting nay: Representative Haugen - 1.

Absent: Representatives Ebersole, Gallagher, King P, Nealey, Nelson G, Sanders, Smith L, Smitherman, Thomas, Todd, Vekich, Williams J - 12.

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.

#### STATEMENT FOR THE JOURNAL

I would have voted "Yes" on House Bill No. 10.

PAUL H. KING, 44th District.

## STATEMENT FOR THE JOURNAL

It was my intent to vote in favor of House Bill No. 10.

PAUL SANDERS, 48th District.

HOUSE BILL NO. 39, by Representatives Lux, Winsley, Zellinsky, Prince and P. King

Making miscellaneous changes to the insurance code.

The bill was read the second time. On motion of Mr. Lux, Substitute House Bill No. 39 was substituted for House Bill No. 39 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 39 was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 39, and the bill passed the House by the following vote: Yeas, 92; absent, 6.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smitherman, Sommers, Sutherland, Tanner, Taylor, Tilly, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 92.

Absent: Representatives Gallagher, Nealey, Smith L, Thomas, Todd, Vekich - 6.

Substitute House Bill No. 39, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 84, by Representative Grimm

Authorizing school districts to self-fund their employees' loss of time and health benefits.

The bill was read the second time. On motion of Mr. Grimm, Substitute House Bill No. 84 was substituted for House Bill No. 84 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 84 was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 84, and the bill passed the House by the following vote: Yeas, 95; absent, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Tilly, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Absent: Representatives Gallagher, Thomas, Todd - 3.

Substitute House 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.

HOUSE BILL NO. 103, by Representatives Sommers, Belcher, Hankins, Braddock, Zellinsky, Smitherman, Kremen, B. Williams, Schoon, Long, Jacobsen, Winsley, Ballard, Fisch, Hastings, Isaacson, Basich, Taylor, Dellwo, van Dyke, Doty, May, Crane, Betzoff, Silver and Unsoeld

Requiring compensation of public employees to be established in open public meetings.

The bill was read the second time. On motion of Ms. Belcher, Substitute House Bill No. 103 was substituted for House Bill No. 103 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 103 was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 103, and the bill passed the House by the following vote: Yeas, 95; absent, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Tilly, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Absent: Representatives Gallagher, Thomas, Todd - 3.

Substitute 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.

HOUSE BILL NO. 163, by Representatives Leonard, Allen, Walk, Brekke, Barrett, Jacobsen, Cole, R. King, Walker, Valle, Fisch, Winsley, Braddock, Kremen, Bond, Van Luven, K. Wilson, G. Nelson, Ballard, May, Holland, Hankins, Tanner, Miller, Brough, Silver, Tilly, Basich and Taylor

Restricting the issuance of drivers' licenses to persons evaluated as alcohol or drug abusers.

The bill was read the second time. On motion of Ms. Brekke, Substitute House Bill No. 163 was substituted for House Bill No. 163 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 163 was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 163, and the bill passed the House by the following vote: Yeas, 95; absent, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Tilly, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Absent: Representatives Gallagher, Thomas, Todd - 3.

Substitute 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.

HOUSE BILL NO. 187, by Representatives Madsen, Sommers and Walk

Allowing counties to make state-authorized improvements to state highways.

The bill was read the second time. On motion of Mr. Walk, Substitute House Bill No. 187 was substituted for House Bill No. 187 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 187 was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 187 and the bill passed the House by the following vote: Yeas, 96; absent, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Absent: Representatives Gallagher, Thomas - 2.

Substitute House 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.

HOUSE BILL NO. 190, by Representatives Wang, Patrick and Ballard; by Department of Licensing request

Revising provisions relating to escrow agents.

The bill was read the second time. On motion of Mr. Wang, Substitute House Bill No. 190 was substituted for House Bill No. 190 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 190 was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 190, and the bill passed the House by the following vote: Yeas, 97; absent, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Gallagher - 1.

Substitute House Bill No. 190, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Mr. Dellwo to preside.

HOUSE BILL NO. 197, by Representatives Brekke, Lewis, Braddock, Sanders, Sayan and Isaacson; by Department of Social and Health Services request

Providing for adjustment of nursing home rates for energy retrofitting.

The bill was read the second time. On motion of Ms. Brekke, Substitute House Bill No. 197 was substituted for House Bill No. 197 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 197 was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 197, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute House 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.

HOUSE BILL NO. 205, by Representatives Lux, Winsley and Zellinsky; by Department of Licensing request

Authorizing a limited offering exemption to the securities act.

The bill was read the second time. On motion of Mr. Grimm, Substitute House Bill No. 205 was substituted for House Bill No. 205 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 205 was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 205, and the bill passed the House by the following vote: Yeas, 97; nays, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Voting nay: Representative Nelson G - 1.

Substitute House 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.

HOUSE BILL NO. 270, by Representatives Locke, Brooks, Lux, Allen, Fisch, Niemi, Wang, Appelwick, Brough, Belcher and D. Nelson

Certifying the practice of acupuncture.

The bill was read the second time. On motion of Mr. Grimm, Substitute House Bill No. 270 was substituted for House Bill No. 270 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 270 was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Locke and Tilly spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 270, and the bill passed the House by the following vote: Yeas, 96; nays, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representatives Barnes, Bond - 2.

Substitute House Bill No. 270, having received the 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. 297, by Representatives Jacobsen, Appelwick, Niemi, Vekich, Prince, Ballard, Todd, Unsoeld, Locke, D. Nelson, Baugher, Rayburn, Isaacson, Fisher and Lux

Establishing standards for organic food products.

The bill was read the second time. On motion of Mr. Jacobsen, Substitute House Bill No. 297 was substituted for House Bill No. 297 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 297 was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 297, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute House 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.



HOUSE BILL NO. 356, by Representatives Brekke, Lewis, B. Williams, Braddock, Brooks and Armstrong; by Department of Social and Health Services request

Changing provisions relating to reimbursement for social and health services.

The bill was read the second time. On motion of Mr. Braddock, Second Substitute House Bill No. 356 was substituted for House Bill No. 356 and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 356 was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 356, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Second Substitute House 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.

HOUSE BILL NO. 380, by Representative Grimm

Requiring the department of ecology to adopt rules and regulations to preclude flood damage.

The bill was read the second time. On motion of Ms. Rust, Substitute House Bill No. 380 was substituted for House Bill No. 380 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 380 was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Ms. Rust yielded to question by Mr. Lewis.

Mr. Lewis: "Representative Rust, this bill could restrict development on a flood plain. Will that affect agricultural activities?"

Ms. Rust: "No. Agriculture is a flood-compatible land use and is therefore permitted on a flood plain."

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 380, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Sloep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 380, having received the 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. 392, by Representatives Baugher, Belcher, O'Brien and Hankins; by Department of General Administration request

Repealing the laws requiring the purchase by the state of fuel produced in this state.

The bill was read the second time. With the consent of the House, the bill was advanced to third reading and final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 392, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

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.

HOUSE BILL NO. 405, by Representatives Baugher and Belcher; by Department of General Administration request

Repealing provisions relating to state purchases of foreign-made items.

The bill was read the second time. With the consent of the House, the bill was advanced to third reading and final passage.

Representatives Baugher, Belcher and Barnes spoke in favor of the bill, and Mr. Chandler spoke against it.

Mr. Baugher spoke again in favor of the bill.

#### POINT OF INQUIRY

Mr. Isaacson asked Mr. Baugher to yield to question, and Mr. Baugher refused to yield.

Representatives Isaacson and G. Nelson spoke against the bill, and Ms. Belcher spoke again in favor of it.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 405, and the bill passed the House by the following vote: Yeas, 67; nays, 31.

Voting yea: Representatives Allen, Appelwick, Armstrong, Barnes, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Brooks, Brough, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sanders, Sayan, Schoon, Scott, Smith L, Smitherman, Sommers, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, West, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 67.

Voting nay: Representatives Addison, Ballard, Barrett, Betzoff, Bond, Chandler, Dobbs, Doty, Holland, Lewis, Lundquist, Nealey, Nelson G, Padden, Patrick, Prince, Schmidt, Silver, Smith C, Sutherland, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, Williams B, Williams J, Wilson S, Winsley - 31.

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

HOUSE BILL NO. 419, by Representatives Leonard, Miller and P. King; by Secretary of State request

Establishing custody and access to voter registration records.

The bill was read the second time. With the consent of the House, the bill was advanced to third reading and final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 419, and the bill passed the House by the following vote: Yeas, 95; nays, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representatives Dobbs, van Dyke, West - 3.

House Bill No. 419, having received the 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. 469, by Representatives Lux, Lewis, Leonard, Armstrong, Hine, Barrett and Unsoeld

Updating definitions used in naturopathic medicine.

The bill was read the second time. On motion of Ms. Brekke, Substitute House Bill No. 469 was substituted for House Bill No. 469 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 469 was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 469, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 469, having received the 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. 481, by Representatives Brekke, Ballard and Lewis; by Department of Licensing request

Authorizing the director of licensing to appoint temporary members of licensing boards.

The bill was read the second time. On motion of Ms. Brekke, Substitute House Bill No. 481 was substituted for House Bill No. 481 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 481 was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 481, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Sloep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 481, having received the 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. 482, by Representatives Brekke, Ballard and Lewis; by Department of Licensing request

Revising provisions relating to licensing of health care assistants.

The bill was read the second time. On motion of Ms. Brekke, Substitute House Bill No. 482 was substituted for House Bill No. 482 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 482 was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 482, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Sloep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 482, having received the 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. 545, by Representatives Fisher, Barnes, Fisch, Locke, Miller, Sanders and P. King; by Secretary of State request

Permitting voters to deposit their own ballots in the ballot box.

The bill was read the second time. On motion of Ms. Fisher, Substitute House Bill No. 545 was substituted for House Bill No. 545 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 545 was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 545, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 545, having received the 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. 566, by Representative Sommers

Changing provisions relating to higher education tuition and fees.

The bill was read the second time. On motion of Ms. Sommers, Substitute House Bill No. 566 was substituted for House Bill No. 566 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 566 was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 566, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute House 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.

HOUSE BILL NO. 594, by Representatives Tanner, Long and Sayan

Providing a plan and revenue for institutional industries.

The bill was read the second time. On motion of Ms. Brekke, Substitute House Bill No. 594 was substituted for House Bill No. 594 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 594 was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 594, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher,

Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 594, having received the 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. 612, by Representatives Belcher, Hankins and Unsoeld; by Secretary of State request

Adding an appointee of the director of financial management to the records committee.

The bill was read the second time. On motion of Ms. Belcher, Substitute House Bill No. 612 was substituted for House Bill No. 612 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 612 was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 612, and the bill passed the House by the following vote: Yeas, 98.

Voting yeas: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 612, having received the 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. 643, by Representative Grimm; by Office of Financial Management request

Permitting direct billing of employers for payments to the public employees' retirement system.

The bill was read the second time. With the consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 643, and the bill passed the House by the following vote: Yeas, 98.

Voting yeas: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

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.

HOUSE BILL NO. 670, by Representatives Basich and Hargrove

Changing salmon troll license provisions.

The bill was read the second time. With the consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 670, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

House Bill No. 670, having received the 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. 712, by Representative Sutherland

Permitting claimants to review their industrial insurance files.

The bill was read the second time. On motion of Mr. Appelwick, Substitute House Bill No. 712 was substituted for House Bill No. 712 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 712 was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 712, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 712, having received the 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. 718, by Representatives Todd, Barnes, Crane, Allen, Vekich, Nutley and Winsley

Clarifying taxation and assessments provisions pertaining to mobile homes.

The bill was read the second time. Committee on Ways & Means recommendation: Majority, do pass with the following amendment:

On page 7, line 10 strike "due" and insert "levied"

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

The bill was ordered engrossed. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 718, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Engrossed House Bill No. 718, having received the 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. 723, by Representatives Armstrong and D. Nelson

Modifying provisions relating to B & O tax on persons disposing of radioactive waste.

The bill was read the second time. Committee on Energy & Utilities recommendation: Majority, do pass as amended. (For amendments, see Journal, 52nd Day, March 6, 1985.)

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

The bill was ordered engrossed. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Armstrong and Isaacson spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 723, and the bill passed the House by the following vote: Yeas, 97; nays, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Voting nay: Representative Sanders - 1.

Engrossed House Bill No. 723, having received the 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. 732, by Representatives Leonard, Appelwick, Allen, D. Nelson, Walker, Scott, Patrick, Basich, Jacobsen, Lux, Winsley, Wineberry and Holland; by Pharmacy Board request

Revising the controlled substances act.

The bill was read the second time. On motion of Ms. Brekke, Substitute House Bill No. 732 was substituted for House Bill No. 732 and the substitute bill was placed on the calendar for second reading.



Substitute House Bill No. 732 was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 732, and the bill passed the House by the following vote: Yeas, 98.

Voting yeas: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zeliinsky, and Mr. Speaker - 98.

Substitute House Bill No. 732, having received the 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. 744, by Representatives Isaacson, D. Nelson, Todd, Barnes, Sutherland and Long

Establishing the Northwest interstate compact on energy development and financing.

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

Substitute House Bill No. 744 was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 744, and the bill passed the House by the following vote: Yeas, 98.

Voting yeas: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zeliinsky, and Mr. Speaker - 98.

Substitute House Bill No. 744, having received the 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. 747, by Representatives Locke, Dellwo, Crane, Tilly, Padden, Scott, Sanders, Niemi, McMullen and Appelwick; by Attorney General request

Extending the attorney general's authority to investigate crimes.

The bill was read the second time. With the consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 747, and the bill passed the House by the following vote: Yeas, 97; nays, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Voting nay: Representative Walk - 1.

House Bill No. 747, having received the 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. 808, by Representatives Appelwick, Rust and Sommers

Providing for the property tax valuation of destroyed property which is replaced.

The bill was read the second time. Committee on Ways & Means recommendation: Majority, do pass with the following amendment:

On page 2, line 3 after "date" insert "in subsection (1)"

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

The bill was ordered engrossed. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 808, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Engrossed House Bill No. 808, having received the 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. 843, by Representatives Bristow, Nealey, Fuhrman and Bond

Modifying provisions relating to livestock.

The bill was read the second time. On motion of Mr. Bristow, Substitute House Bill No. 843 was substituted for House Bill No. 843 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 843 was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 843, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 843, having received the 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. 848, by Representatives K. Wilson, Armstrong, Scott, P. King, Lewis, Allen, Leonard, S. Wilson, Tanner, Ebersole, J. Williams and Long

Requiring the department of corrections to notify certain people of the disposition of inmates convicted of violent offenses.

The bill was read the second time. On motion of Mr. Armstrong, Substitute House Bill No. 848 was substituted for House Bill No. 848 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 848 was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. K. Wilson spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 848, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 848, having received the 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. 877, by Representative Dellwo

Changing provisions relating to adoptions.

The bill was read the second time. On motion of Mr. Armstrong, Substitute House Bill No. 877 was substituted for House Bill No. 877 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 877 was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 877, and the bill passed the House by the following vote: Yeas, 97; nays, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey,

Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Voting nay: Representative Ebersole - 1.

Substitute House Bill No. 877, having received the 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. 914, by Representatives Appelwick and Grimm

Modifying the distribution of timber taxes.

The bill was read the second time. Committee on Ways & Means recommendation: Majority, do pass as amended. (For amendments, see Journal, 54th Day, March 8, 1985.)

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

The bill was ordered engrossed. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Braddock and Hastings spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 914, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Engrossed House Bill No. 914, having received the 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. 949, by Representatives D. Nelson, Unsoeld and Isaacson; by Washington State Energy Office request

Establishing alternative procedures for municipalities to enter into performance-based contracts for energy equipment and services.

The bill was read the second time. With the consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 949, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

House Bill No. 949, having received the 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. 956, by Representatives Locke and Hine

Relating to the powers of local government in relation to federal grants and programs.

The bill was read the second time. On motion of Ms. Haugen, Substitute House Bill No. 956 was substituted for House Bill No. 956 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 956 was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 956, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 956, having received the 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. 1000, by Representatives Appelwick, Hastings, Prince, Zellinsky, G. Nelson, Bond, J. Williams, Sanders, Isaacson and May; by Department of Revenue request

Exempting trade-in property of like kind from use taxation.

The bill was read the second time. With the consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1000, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

House Bill No. 1000, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1002, by Representatives Appelwick and Hastings; by Department of Revenue request

Modifying the business and occupation tax exemption for persons selling through direct seller's representatives.

The bill was read the second time. With the consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1002, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Loven, Vander Sloep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

House Bill No. 1002, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTIONS

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

On motion of Mr. J. King, SUBSTITUTE SENATE BILL NO. 3536 was rereferred from Committee on Energy & Utilities to Committee on Local Government.

On motion of Mr. J. King, the House was recessed until 6:30 p.m.

#### EVENING SESSION

The House was called to order at 6:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Barrett, Grimm and van Dyke. Representative van Dyke was excused.

There being no objection, the House reverted to the sixth order of business.

#### SECOND READING

HOUSE BILL NO. 1003, by Representative Appelwick; by Department of Revenue request

Modifying administrative provisions on excise taxes.

The bill was read the second time. On motion of Mr. Braddock, Substitute House Bill No. 1003 was substituted for House Bill No. 1003 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1003 was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1003, and the bill passed the House by the following vote: Yeas, 81; absent, 16; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Betzoff, Bond, Braddock, Brekke, Bristow, Brough, Cole, Crane, Day, Dellwo, Dobbs, Doty, Fisch, Fisher, Fuhrman, Gallagher, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, Kremen, Leonard, Lewis, Locke, Long, Madsen,

May, McMullen, Miller, Nealey, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Rayburn, Rust, Sayan, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sutherland, Taylor, Thomas, Tilly, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 81.

Absent: Representatives Barrett, Belcher, Brooks, Chandler, Ebersole, Grimm, King R, Lundquist, Lux, Nelson D, Prince, Sanders, Schmidt, Sommers, Tanner, Todd - 16.

Excused: Representative van Dyke - 1.

Substitute House Bill No. 1003, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### STATEMENT FOR THE JOURNAL

It was my intention to vote in favor of Substitute House Bill No. 1003.

PAUL SANDERS, 48th District.

HOUSE BILL NO. 1004, by Representatives Appelwick and Hastings; by Department of Revenue request

Authorizing the director of revenue to administer certain estates having escheat property.

The bill was read the second time. With the consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1004, and the bill passed the House by the following vote: Yeas, 89; absent, 8; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Fisch, Fisher, Fuhrman, Gallagher, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 89.

Absent: Representatives Barrett, Brooks, Ebersole, Grimm, Isaacson, Lundquist, Schmidt, Sommers - 8.

Excused: Representative van Dyke - 1.

House Bill No. 1004, having received the 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. 1009, by Representatives Appelwick and Hastings; by Department of Revenue request

Modifying excise tax provisions.

The bill was read the second time. With the consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Appelwick spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1009, and the bill passed the House by the following vote: Yeas, 91; absent, 6; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Fisch, Fisher, Fuhrman, Gallagher, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sutherland, Tanner, Taylor, Thomas, Tilly,

Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 91.

Absent: Representatives Barrett, Brooks, Ebersole, Grimm, Schmidt, Sommers - 6.

Excused: Representative van Dyke - 1.

House Bill No. 1009, having received the 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. 1012, by Representative Lux; by Department of Licensing request

Regulating commodities investments.

The bill was read the second time. On motion of Mr. Lux, Substitute House Bill No. 1012 was substituted for House Bill No. 1012 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1012 was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1012, and the bill passed the House by the following vote: Yeas, 92; nays, 1; absent, 4; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 92.

Voting nay: Representative Dobbs - 1.

Absent: Representatives Barrett, Grimm, Schmidt, Sommers - 4.

Excused: Representative van Dyke - 1.

Substitute House Bill No. 1012, having received the 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. 1013, by Representatives P. King, Addison and Prince; by Insurance Commissioner request

Revising procedures governing acquisition of domestic insurers.

The bill was read the second time. On motion of Mr. Lux, Substitute House Bill No. 1013 was substituted for House Bill No. 1013 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1013 was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. P. King spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1013, and the bill passed the House by the following vote: Yeas, 93; absent, 4; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang,



West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Absent: Representatives Barrett, Grimm, Isaacson, Schmidt - 4.

Excused: Representative van Dyke - 1.

Substitute House Bill No. 1013, having received the 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. 1102, by Representatives Long, D. Nelson, Sutherland and Miller

Changing provisions relating to utility deposits.

The bill was read the second time. On motion of Mr. D. Nelson, Substitute House Bill No. 1102 was substituted for House Bill No. 1102 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1102 was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1102, and the bill passed the House by the following vote: Yeas, 93; absent, 4; excused, 1.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Absent: Representatives Addison, Barrett, Grimm, Schmidt - 4.

Excused: Representative van Dyke - 1.

Substitute House Bill No. 1102, having received the 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. 1122, by Representatives Padden, Taylor and Bond

Establishing an additional grass burning fee to fund smoke management.

The bill was read the second time. On motion of Mr. Vekich, Substitute House Bill No. 1122 was substituted for House Bill No. 1122 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1122 was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1122, and the bill passed the House by the following vote: Yeas, 93; nays, 1; absent, 3; excused, 1.

Voting yea: Representatives Addison, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Vander Stoep, Vekich, Walk, Walker, Wang,

West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representative Van Luven - 1.

Absent: Representatives Allen, Barrett, Grimm - 3.

Excused: Representative van Dyke - 1.

Substitute House Bill No. 1122, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1143, by Representatives Cole, Betrozoff and Holland

Changing certain requirements regarding public schools needs assessments.

The bill was read the second time. On motion of Mr. Ebersole, Substitute House Bill No. 1143 was substituted for House Bill No. 1143 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1143 was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1143, and the bill passed the House by the following vote: Yeas, 95; absent, 2; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Absent: Representatives Barrett, Grimm - 2.

Excused: Representative van Dyke - 1.

Substitute House Bill No. 1143, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1153, by Representatives Fisher, Madsen, Barrett, Barnes, Miller, Vander Stoep, Betrozoff, Sanders, Hargrove, Wineberry and Brough; by Secretary of State request

Facilitating registration and voting by handicapped persons.

The bill was read the second time. On motion of Ms. Fisher, Substitute House Bill No. 1153 was substituted for House Bill No. 1153, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1153 was read the second time. With the consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1153, and the bill passed the House by the following vote: Yeas, 93; absent, 4; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Long, Lundquist, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang,

West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Absent: Representatives Barrett, Grimm, Locke, Lux - 4.

Excused: Representative van Dyke - 1.

Substitute House Bill No. 1153, having received the 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. 1190, by Representatives Peery, L. Smith, J. King and Tanner  
Changing provisions relating to the joint center for education.

The bill was read the second time. On motion of Ms. Sommers, Substitute House Bill No. 1190 was substituted for House Bill No. 1190, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1190 was read the second time. With the consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1190, and the bill passed the House by the following vote: Yeas, 94; absent, 3; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Basich, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Absent: Representatives Barrett, Baugher, Grimm - 3.

Excused: Representative van Dyke - 1.

Substitute House Bill No. 1190, having received the 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. 1232, by Representatives Haugen and May  
Relating to water and sewer districts.

The bill was read the second time. On motion of Ms. Haugen, Substitute House Bill No. 1232 was substituted for House Bill No. 1232, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1232 was read the second time. With the consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1232, and the bill passed the House by the following vote: Yeas, 95; absent, 2; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Absent: Representatives Barrett, Grimm - 2.

Excused: Representative van Dyke - 1.

Substitute House Bill No. 1232, having received the 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. 16, by Representatives Niemi, Armstrong, Valle, Brekke, Betrozoff, Rust, Unsoeld, Vekich, Wineberry, Miller, J. Williams and D. Nelson; by Washington Centennial Commission request

Requesting the federal government transfer ownership of the South Lake Union Naval Reserve Base.

The memorial was read the second time. On motion of Ms. Haugen, Substitute House Joint Memorial No. 16 was substituted for House Joint Memorial No. 16, and the substitute memorial was placed on the calendar for second reading.

Substitute House Joint Memorial No. 16 was read the second time. With the consent of the House, the rules were suspended, the second reading considered the third, and the memorial was placed on final passage.

Ms. Niemi spoke in favor of the memorial.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Memorial No. 16, and the memorial passed the House by the following vote: Yeas, 86; nays, 9; absent, 2; excused, 1.

Voting yea: Representatives Addison, Appelwick, Armstrong, Ballard, Basich, Baugher, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J. King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Todd, Unsoeld, Valle, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 86.

Voting nay: Representatives Allen, Barnes, Bond, Hastings, Nelson G, Padden, Thomas, Tilly, Van Luven - 9.

Absent: Representatives Barrett, Grimm - 2.

Excused: Representative van Dyke - 1.

Substitute House Joint Memorial No. 16, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 936, by Representatives Crane, Barrett, Wang, Holland, P. King, K. Wilson, Jacobsen and Winsley

Restricting exercise of due-on-sale clauses.

The bill was read the second time. On motion of Mr. Lux, Substitute House Bill No. 936 was substituted for House Bill No. 936, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 936 was read the second time.

Mr. Zellinsky moved adoption of the following amendment by Representatives Zellinsky, Winsley, Haugen and S. Wilson:

On page 2, line 2 after "loan" insert "made between August 19, 1976 and October 15, 1982 provided a lender may require any successor or transferee of the borrower to negotiate a new interest rate which shall not exceed that contained in the original loan by more than 2%."

Representatives Zellinsky and Winsley spoke in favor of the amendment and Representatives Crane and Locke spoke against it.

The amendment was not adopted.

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

HOUSE JOINT MEMORIAL NO. 15, by Representatives Lundquist, Haugen, S. Wilson, Zellinsky, Thomas, Brough, Isaacson, Holland, J. Williams, Bond and Ballard

Requesting steelhead trout be made exclusively a game fish.

The memorial was read the second time. On motion of Mr. Sutherland, Substitute House Memorial No. 15 was substituted for House Memorial No. 15, and the substitute memorial was placed on the calendar for second reading.

Substitute House Joint Memorial No. 15 was read the second time and passed to Committee on Rules for third reading.

Representatives Barrett and Grimm appeared at the bar of the House.

HOUSE BILL NO. 379, by Representatives O'Brien, Smitherman, Jacobsen, Patrick, Haugen and Tilly

Revising LID laws.

The bill was read the second time. On motion of Ms. Haugen, Substitute House Bill No. 379 was substituted for House Bill No. 379, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 379 was read the second time.

Mr. Lundquist moved adoption of the following amendments by Representatives Lundquist and Wineberry:

On page 7, line 26 after "restrictions;" strike "and" and on line 27 after "(e)" insert the following: "Existing facilities on the property at the time the assessment roll is confirmed; and (f)"

Representatives Lundquist and Haugen spoke in favor of the amendments, and they were adopted.

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

Representatives O'Brien, Brough, Lundquist and Haugen spoke in favor of passage of the bill, and Mr. J. Williams spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 379, and the bill passed the House by the following vote: Yeas, 82; nays, 15; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brough, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Tilly, Todd, Unsoeld, Valle, Vander Stoep, Vekich, Walk, Wang, Williams B, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 82.

Voting nay: Representatives Bond, Brooks, Chandler, Dobbs, Fuhrman, Nelson G, Padden, Sanders, Smith C, Taylor, Thomas, Van Luven, Walker, West, Williams J - 15.

Excused: Representative van Dyke - 1.

Engrossed Substitute House 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.

HOUSE BILL NO. 1107, by Representatives Long, Armstrong, Walk, Betzoff, Brough, Tilly, Holland, Tanner, Silver, Schmidt, Wineberry, Taylor, Patrick, Cole, Walker, Sanders and May

Requiring a valid driver's license for issuance of a vehicle license.

The bill was read the second time. On motion of Mr. Wineberry, Substitute House Bill No. 1107 was substituted for House Bill No. 1107, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1107 was read the second time and passed to Committee on Rules for third reading.

HOUSE JOINT RESOLUTION NO. 26, by Representatives Tilly, Dobbs, Sommers, May, Van Luven, Bristolow, Thomas, Smitherman, Brooks, Tanner, Allen, Walker, Doty, Fuhrman, Barrett, Padden, C. Smith, Addison, Zellinsky, Silver, Ballard, S. Wilson, G. Nelson, B. Williams, Isaacson, Holland, J. Williams and Bond

Establishing a constitutional limit on appropriations of state funds.

The resolution was read the second time. On motion of Mr. Grimm, Substitute House Joint Resolution No. 26 was substituted for House Joint Resolution No. 26, and the substitute resolution was placed on the calendar for second reading.

Substitute House Joint Resolution No. 26 was read the second time.

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

On page 2, line 8 after "means the" insert "estimated"

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

HOUSE BILL NO. 1077, by Representatives Niemi, Lewis, Holland, J. King, Leonard, Cole, R. King, Winsley and Wineberry; by Governor request

Implementing procedures to control and monitor health care costs.

The bill was read the second time. On motion of Mr. Braddock, Substitute House Bill No. 1077 was substituted for House Bill No. 1077, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1077 was read the second time.

The Clerk read the following amendment by Representative Niemi:

On page 1, beginning on line 13 strike "twenty-five" and insert "twenty"

With the consent of the House, Ms. Niemi withdrew the amendment.

On motion of Ms. Niemi, the following amendments by Representatives Niemi and B. Williams were adopted:

On page 2, line 7 strike "'Authority' means state health care purchasing authority," and insert "'Unit' means the state health care purchasing unit."

On page 2, line 33 strike "authority. The authority" and insert "unit. The unit"

On page 3, line 24 strike "authority" and insert "unit"

On page 4, line 11 strike "authority" and insert "unit"

On page 4, line 13 strike "authority" and insert "unit"

On page 4, line 25 strike "authority" and insert "unit"

On page 4, line 27 strike "authority" and insert "unit"

On page 5, line 27 strike "authority" and insert "unit"

On page 5, line 28 strike "authority" and insert "unit"

On page 10, beginning on line 25 after "contractor" strike "or pursuant to subsection (5) of this section"

On page 11, line 22 after "(5)" strike all the material down to and including "(7)" on page 12, line 32.

On page 12, beginning on line 35 strike all of section 10 and renumber the remaining sections consecutively.

On page 14, beginning on line 28 strike section 12 and renumber the remaining sections consecutively.

On page 16, line 26 strike "authority" and insert "state health care purchasing unit created under section 4 of this act."

On page 18, line 16 beginning with "As" strike all the material down to and including the period on line 33 and insert "The director of labor and industries shall submit to the legislature no later than January 1, 1986 a report that will propose methods to incrementally reduce the projected expenditures of the medical aid fund up to twenty percent for the period of July 1, 1986 to June 30, 1987. With each proposed incremental reduction, the report shall include: methods of obtaining the reduction; effects upon injured workers; effects upon the service provider; and drafts of legislation necessary to implement the reductions."

On page 19, line 4 after "appropriation" insert ", except as provided in RCW 51.44.110"

On page 19, after line 4 insert the following:

"Sec. 21. Section 51.44.110, chapter 23, Laws of 1961 as last amended by section 68, chapter 350, Laws of 1977 ex. sess. and RCW 51.44.110 are each amended to read as follows:

Disbursement out of the several funds shall be made only upon warrants drawn by the department and disbursements out of the medical aid fund shall be made only pursuant to appropriation. The state treasurer shall pay every warrant out of the fund upon which it is drawn. If, at any time, there shall not be sufficient money appropriated in the fund on which any such warrant is drawn wherewith to pay the same, the warrant shall be paid out of the unappropriated portion of the fund. If, at any time, there shall not be sufficient money in the fund on which any such warrant is drawn wherewith to pay the same, the employer on account of whose worker it was that the warrant was drawn shall pay the same, and he or she shall be credited upon his or her next following contribution to such fund the amount so paid with interest thereon at the legal rate from the date of such payment to the date such next following contribution became payable and, if the amount of the credit shall exceed the amount of the contribution, he or she shall have a warrant upon the same fund for the excess and, if any such warrant shall not be so paid, it shall remain, nevertheless, payable out of the fund. If disbursements are made out of the unappropriated portion of the fund pursuant to this section, then the director shall make a full accounting to the legislative budget committee."

Renumber the sections consecutively and correct internal references accordingly.

On page 20, line 13 strike "authority" and insert "unit"

On page 20, line 27 strike "This act is" and insert "Sections 20 and 21 of this act shall take effect July 1, 1987. The remainder of this act being"

Mr. G. Nelson moved adoption of the following amendment:

On page 20, following line 15 insert a new section as follows:

"NEW SECTION, Sec. 24. In order to more effectively control health care costs, reforms in the method of compensating injured parties for their loss may be necessary. The House of Representatives and Senate committees on Ways and Means shall jointly conduct a study to determine the impact that disclosure to juries of payments for injuries to plaintiffs, and or releases from liability made by plaintiffs, would have on reducing health care costs. The committee shall report to the full house by January 17, 1986."

Renumber the remaining sections consecutively.

#### POINT OF ORDER

Mr. Armstrong: "Mr. Speaker, I would ask that you rule on scope and object on this amendment."

#### SPEAKER'S RULING

The Speaker: "House Rule 19(E) provides that no amendment shall be allowed which shall change the scope and object of the bill.

"House Bill 1077 deals with state health care purchases. The amendment calls for a study of the methods of compensating injured persons and the impact that disclosing certain information to juries would have on health care costs. This amendment, by dealing with nonstate health costs and the court system, expands the scope and object of the bill. Your point is well taken, Representative Armstrong."

On motion of Ms. Niemi, the following amendments to the title by Representatives Niemi and B. Williams were adopted:

On page 1, line 2 of the title strike "41.05.040," and insert "43.84.090."

On page 1, line 3 of the title after "51.44.020," insert "51.44.110."

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

HOUSE BILL NO. 500, by Representatives Brekke, Lewis, Braddock and Ballard; by Department of Social and Health Services request

Revising certain coverages of medical care programs.

The bill was read the second time. On motion of Mr. Grimm, Substitute House Bill No. 500 was substituted for House Bill No. 500, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 500 was read the second time.

On motion of Ms. Brekke, the following amendment was adopted:

On page 5, line 1 strike "July 1, 1985" and insert "immediately"

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

HOUSE BILL NO. 524, by Representatives K. Wilson, Kremen, G. Nelson, Braddock, Tilly, Leonard, Lewis, Bristow, Allen, Nutley, B. Williams, Hargrove, Isaacson, May, Schoon, Tanner, L. Smith and Thomas

Facilitating factory siting in environmentally nonsensitive areas.

The bill was read the second time. On motion of Mr. McMullen, Substitute House Bill No. 524 was substituted for House Bill No. 524, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 524 was read the second time.

Mr. R. King moved adoption of the following amendment by Representatives R. King, Barrett and Nutley:

On page 8 after line 5 insert the following:

\*NEW SECTION. Sec. 5. A new section is added to chapter 53.25 RCW to read as follows:

(1) As used in this section, the following definitions shall apply:

(a) 'Manufacturing' means all activities of a commercial or industrial nature in which labor or skill is applied, by hand or machinery, to materials so that a new, different, or useful substance or article of tangible personal property is produced for sale or commercial or industrial use. The term includes the production of computer software, other computer-related services, and the activities performed by research and development laboratories and commercial testing laboratories; and

(b) 'Wetland' means that land extending landward for two hundred feet in all directions as measured on a horizontal plane from the 'ordinary high water mark,' as that term is defined in RCW 90.58.030; 'floodways,' as that term is defined in RCW 90.58.030, and the adjacent land extending landward two hundred feet from such floodways; and all marshes, bogs, swamps, and river deltas associated with streams, lakes, and tidal waters.

(2) A port district may designate, in its comprehensive scheme of harbor improvement or industrial development on property owned or controlled through a long-term lease, environmentally suitable sites for the purpose of expediting the location of manufacturing plants and facilities not having a probable significant, adverse environmental impact under chapter 43.21C RCW. The designation of any such site is subject to environmental review under chapter 43.21C RCW.

(3) An environmentally suitable site designation shall be applied only to lands meeting the following criteria:

(a) There exists an adopted comprehensive scheme of harbor improvement or industrial development that designates the land for manufacturing use; and

(b) The land is not within the jurisdiction of the Shoreline Management Act of 1971, chapter 90.58 RCW, and is not a wetland.

(4) The designation shall include performance standards or criteria specifying the nature or size of manufacturing plants, facilities, or processes that may be suitable for the site. Standards or criteria may be used to specify improvements that would be needed in connection with locating any manufacturing plant or facility.

(5) Each port district that intends to designate an environmentally suitable site shall do so in accordance with the procedures set forth in this chapter and local codes. After completing the environmental review process and making a decision on the proposed designation, the port district shall transmit notice of the proposed designation and a map of the site to the department of ecology and the department of commerce and economic development. Within sixty days after receiving this notice, the department of ecology shall review and may prohibit all or any portion of the proposed designation for failure to comply with the requirements of this section. The designation shall be final for any portion of the proposed designation not so prohibited.

(6) Any proposed action to locate a manufacturing plant or facility that meets the criteria established under subsection (4) of this section in a site designated under subsection (5) of this section shall be considered a 'qualified project.' The determination as to whether a proposed action is a qualified project shall be made by the planning director or other appropriate official or agency of the port district where the plant or facility would be located. The applicant for designation of a qualified project shall provide any information necessary to make any such determination.

(7) The port district may adopt procedures or fees to review and designate qualified projects and to coordinate this process with other local procedures. The port district may also establish a system for imposing mitigation fees and charges on such manufacturing plants and facilities to finance all or part of any public improvements as authorized by chapter 43.21C RCW and other applicable state laws or local ordinances.

(8) Nothing in this section may be construed as exempting a qualified project from the environmental review process under chapter 43.21C RCW or from any state or local planning, zoning, nuisance, permit, performance standard, or development requirement. This section



shall not restrict public or private entities from using phased review, or nonproject or other environmental documents, as directed or authorized by RCW 43.21C.110.

(9) To facilitate review and evaluation of the program authorized under this section, each application for a qualified project designation and the decision rendered on each such application shall be transmitted to the director of the department of ecology, who shall make an annual report to the legislature on the operation of the program.

(10) This section shall expire on July 1, 1988."

#### POINT OF ORDER

Mr. Hastings: "Mr. Speaker, I would challenge this amendment on the basis of scope and object."

#### MOTION

On motion of Mr. Appelwick, further consideration of Substitute House Bill No. 524 was deferred, and the bill was ordered placed on the second reading calendar following House Bill No. 41.

HOUSE BILL NO. 1234, by Representative Vekich

Relating to agricultural marketing.

The bill was read the second time. On motion of Mr. Vekich, Substitute House Bill No. 1234 was substituted for House Bill No. 1234, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1234 was read the second time.

Mr. McMullen moved adoption of the following amendment by Representatives McMullen and Vekich:

On page 4, after line 17 add a new subsection to read as follows:

"(12) To develop a coordinated marketing program with the department of commerce and economic development, utilizing existing trade offices and participating in mutual trade missions and activities."

Representatives McMullen and Vekich spoke in favor of the amendment, and Mr. Nealey spoke against it.

A division was called.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives McMullen and Vekich to Substitute House Bill No. 1234, and the amendment was adopted by the following vote: Yeas, 52; nays, 45; excused, 1.

Voting yea: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Cole, Crane, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Silver, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 52.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Bristow, Brooks, Brough, Chandler, Day, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, Mary, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Smith C, Smith L, Taylor, Thomas, Tilly, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 45.

Excused: Representative van Dyke - 1.

Mr. Vekich moved adoption of the following amendments:

On page 5, line 34 after "center" strike "created in section 5 of this act"

Beginning on page 6 after line 2 strike all material through "1985." on page 8, line 30.

Representatives Vekich and Nealey spoke in favor of the amendments, and they were adopted.

The Clerk read the following amendment by Representatives Braddock, Sommers, B. Williams and Vander Stoep:

On page 8, line 31 insert:

"NEW SECTION. Sec. 15. If specific funding for the purposes of this act, referencing this act by bill number, is not provided in the omnibus appropriations act enacted before July 1, 1985, this act shall be null and void."

With the consent of the House, Mr. Braddock withdrew the amendment.

On motion of Mr. Vekich, the following amendment to the title of the bill was adopted:

On page 1, beginning on line 2 of the title after "43.31.370;" strike all material through "emergency" on line 12 and insert "adding new sections to chapter 43.23 RCW; and creating a new section"

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

Representatives Vekich and Nealey spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1234, and the bill passed the House by the following vote: Yeas, 95; nays, 2; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Valle, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representatives Belcher, Unsoeld - 2.

Excused: Representative van Dyke - 1.

Engrossed Substitute House Bill No. 1234, having received the 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. 41, by Representatives Lux, Winsley, Zellinsky, Prince, Schoon, Wang, Miller and Tanner

Authorizing the commissioner to establish reasonable minimum standards in vehicle, property, and casualty insurance policies.

The bill was read the second time. On motion of Mr. Lux, Substitute House Bill No. 41 was substituted for House Bill No. 41, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 41 was read the second time.

Mr. West moved adoption of the following amendments:

On page 2, line 3 after "homeowners" insert ", workmen's compensation"

On page 2, after line 8 insert the following:

"NEW SECTION, Sec. 2. The commissioner shall study the feasibility of private insurers marketing workmen's compensation insurance in the state of Washington."

#### POINT OF ORDER

Mr. Lux: "Mr. Speaker, I was just looking at the amendments, and they are outside the scope and object. Would you rule on that?"

#### SPEAKER'S RULING

The Speaker: "After looking very carefully at the amendments and looking at Substitute House Bill 41, the Speaker finds that the bill authorizes the insurance commission to establish definitions to be used in fire, homeowners' and vehicle insurance policies. The amendments get into matters having to do with private insurance, marketing insurance, workmen's compensation insurance, and are clearly outside the scope. Your point is well taken, Representative Lux."

Mr. Vekich moved adoption of the following amendment by Representatives Vekich and Lux:

On page 2, after line 8, insert the following:

"NEW SECTION, Sec. 2. A new section is added to chapter 48.30 RCW to read as follows:

It is an unfair and deceptive practice for any insurer to not attempt to effectuate fair, equitable, and reasonably prompt settlements of claims in which liability has become reasonably clear."

#### POINT OF ORDER

Mr. Barrett: "Mr. Speaker, I would challenge the scope and object on this amendment since the bill relates to definitions and the amendment relates to consumer practice."

#### SPEAKER'S RULING

The Speaker: "Having reviewed Substitute House Bill 41 and the proposed amendment, the Speaker finds again that the bill deals with establishing definitions and the amendment expands that, and is outside the scope and object. Your point is well taken, Representative Barrett."

Mr. West moved adoption of the following amendment:

On page 2, after line 8, insert the following:

"NEW SECTION, Sec. 2. The definitions set forth in this section apply throughout this chapter unless the context requires otherwise.

(1) 'Supplementary rate information' includes a manual or plan of rates, classification, rating schedule, minimum premium, policy fee, rating rule, and any other similar information needed to determine the applicable rate.

(2) 'Rate service organization' means a person or organization, other than a single insurer and those entities listed in subsection (4) of this section, who assists insurers by compiling and furnishing loss or expense statistics and recommending, making, or filing rates, forms, or supplementary rate information.

(3) 'Advisory organization' means a person or organization, other than a single insurer and those entities listed in subsection (4) of this section, who assists insurers or rate service organizations in making rates by compiling and furnishing loss or expense statistics or other statistical information and data or by submitting recommendations regarding rates, forms, or supplementary rate information and who does not make rate filings under this chapter.

(4) The terms 'rate service organization' and 'advisory organization' do not include a joint underwriting association, an actuarial or legal consultant, an employee of an insurer, or insurers under common control or management or their employees or manager.

(5) 'Inland marine insurance' includes insurance defined as inland marine insurance by statute or interpretation thereof, or, if not so defined by statute, by ruling of the insurance commissioner or by general custom of the business.

(6) 'Subscriber' means any insurer who employs the services of a rate service organization for the purpose of making filings, regardless of whether the insurer is a member of the rate service organization.

This chapter does not govern or affect the membership relation between a rate service organization and insurers who are its members.

NEW SECTION, Sec. 3. (1) Except as otherwise expressly provided by subsection (2)(i) of this section, this chapter takes precedence over chapter 48.19 RCW.

(2) Except as otherwise expressly provided, the provisions of this chapter apply to all insurance upon subjects located, resident, or to be performed in this state except:

(a) Life insurance;

(b) Disability insurance;

(c) Reinsurance, except for joint reinsurance;

(d) Insurance against loss of or damage to aircraft, or aircraft hulls, accessories, or equipment, or against liability arising out of the ownership, maintenance, or use of aircraft;

(e) Insurance of vessels or craft, their cargoes, marine builders' risks, marine protection and indemnity, and such other risks commonly insured under marine, as distinguished from inland marine, insurance contracts;

(f) Title insurance;

(g) Worker's compensation and employers' liability insurance written in connection with worker's compensation;

(h) Residual markets and credit property insurance, including vendor's single interest physical damage insurance if the buyer pays a separate charge for insurance; and

(i) Any line of insurance sold in this state which the commissioner, after hearing, finds to be in a market without substantial and direct competition both in rates and in availability in such line of insurance throughout this state. Upon such a finding by the commissioner, the line of insurance shall be regulated under chapter 48.19 RCW. In addition, any insurer that intends to withdraw from the market in this state for any line of insurance shall notify the commissioner not less than six months before withdrawal, and any changes in rates made during the six-month period before withdrawal shall be regulated under chapter 48.19 RCW.

**NEW SECTION.** Sec. 4. (1) Rates shall not be excessive, inadequate, or unfairly discriminatory, nor shall an insurer charge any rate which if continued would have or tend to have the effect of destroying competition or creating a monopoly.

(2) For the purposes of this chapter, no rate shall be considered excessive or unfairly discriminatory in a competitive market if a reasonable degree of price competition exists at the consumer level in the line of business to which the rate applies. A reasonable degree of price competition in a given line of business is presumed to exist if insurers are actively engaged in that line of business in this state, insurance is available from more than three insurers to place any risk, and there are rate differentials.

Rates are excessive in a noncompetitive market that is regulated under chapter 48.19 RCW if they are likely to produce a long range underwriting profit that is unreasonably high for the class of business or if expenses are unreasonably high in relation to the services rendered.

(3) Rates are inadequate if they are clearly insufficient to sustain projected losses and expenses in the class of business to which they apply.

(4) Rates are not unfairly discriminatory in a noncompetitive market that is regulated under chapter 48.19 RCW if they equitably reflect with reasonable accuracy the differences in expected losses and expenses, produce different premiums for policyholders with like loss exposures but different expense factors or like expense factors but different loss exposures, and if they are averaged broadly among persons insured under a group, franchise, or blanket policy.

(5) The provisions of this section relating to rates that are excessive or unfairly discriminatory shall not supersede existing laws, including but not limited to, remedies available under chapter 19.86 and 48.30 RCW.

**NEW SECTION.** Sec. 5. A competitive market is presumed to exist unless the commissioner after notice and hearing determines that a reasonable degree of competition does not exist and issues a ruling to that effect. Such ruling shall expire one year after its issuance unless rescinded earlier by the commissioner. The commissioner shall consider the market share and other relevant structural factors set forth in section 4 of this act. If the commissioner determines that competition is absent, the commissioner shall order the line of insurance exempt from this chapter under section 3 (2) (1) of this act for a period of not more than one year. Any rate in effect at the time the commissioner determines that competition does not exist shall be deemed to comply with the laws of this state unless disapproved under the procedures and standards set forth in chapter 48.19 RCW.

**NEW SECTION.** Sec. 6. (1) Other than inland marine risks which generally are not written according to manual rates and rating plans, each authorized insurer or rate service organization designated by an insurer for the filing of rates under section 9(2) of this act shall file with the commissioner all rates and supplementary rate information and all changes and amendments thereto, for use in this state, on or before their effective date.

(2) Upon written consent of the insured stating the reasons therefor, a rate which exceeds that provided by an otherwise applicable filing may be used on a specific risk if the rate is filed with the commissioner under subsection (1) of this section.

**NEW SECTION.** Sec. 7. Each filing, including rates and supplementary rate information, under this chapter shall be open to public inspection at any reasonable time after filing. Copies may be obtained by any person upon request and payment of a reasonable charge.

**NEW SECTION.** Sec. 8. Upon written request of a policyholder or a prospective policyholder, an insurer or its agent or its broker shall disclose on a form developed by the commissioner its coverage and rates for private passenger automobile, residential fire, and homeowner insurance policies.

**NEW SECTION.** Sec. 9. (1) An insurer may establish rates and supplementary rate information using the recommendations of an advisory organization, if desired, or using rates and supplementary rate information prepared by a rate service organization, with average expense factors determined by the rate service organization or modified by the insurer to allow for its own expense and loss experience.

(2) An insurer may discharge its filing obligation under section 6 of this act by giving notice to the commissioner that it uses rates and supplementary rate information prepared by a designated rate service organization. The notice shall also inform the commissioner about any modifications which are made under subsection (1) of this section. The insurer's rates and supplementary rate information shall be the latest rates filed by the rate service organization and shall include any amendments which have been filed, subject, however, to the modifications filed by the insurer.

(3) Licensed rate service organizations, advisory organizations, and admitted insurers may exchange information and experience data with other rate service or advisory organizations or insurers in this or another state and may consult with them regarding rate-making.

**NEW SECTION.** Sec. 10. If the commissioner disapproves a rate, he or she shall issue an order within thirty days of the hearing specifying the manner in which the rate filings fail to meet the requirements of this chapter. The order shall state an effective date on which the use of such rates shall be discontinued which shall be as soon as practicable after entry of the

order. The order shall not affect any policy made or issued before the effective date of the order.

**NEW SECTION.** Sec. 11. If an order of disapproval is appealed, the insurer may implement or continue to use the disapproved rate upon notification to the court. Any excess of the disapproved rate over a rate previously in effect shall be put in a reserve established by the insurer. The court shall have control over the disbursement of funds from such reserve. If the court upholds the commissioner's finding that the rate charged was excessive, the funds shall be distributed as determined by the court in its final order. De minimus refunds to policyholders shall not be required.

**NEW SECTION.** Sec. 12. (1) No rate service organization may provide any service relating to the rates of any insurance subject to this chapter, and no insurer may use the service of a rate service organization for these purposes, unless the organization has obtained a license from the commissioner.

(2) No rate service organization may refuse to supply any services for which it is licensed in this state to any insurer authorized to do business in this state that offers to pay the fair and usual compensation for the services.

(3) Any person, whether domiciled within or outside this state, except as provided in this subsection, may make application to the commissioner for a license as a rate service organization for such kinds of insurance or subdivisions thereof, if for casualty or surety insurances, or for such subdivision, class of risks, or parts or combinations thereof, if for other insurances, as are specified in its application. An applicant shall file together with its application:

(a) A copy of its constitution, its articles of agreement or association, or its certificate of incorporation or trust agreement, and its bylaws, rules, and regulations governing the conduct of its business;

(b) A list of its members and a list of its subscribers;

(c) The name and address of a resident of this state upon whom notices or orders of the commissioner or process affecting such rate service organization may be served; and

(d) A statement of its qualifications as a rate service organization.

(4) Any organization proposing to act as a rate service organization for insurance under standard form fire policies shall be licensed only if the following conditions are met:

(a) The applicant and the operators of the rate service organization shall be domiciled in and shall actually reside in this state;

(b) The ownership of the rate service organization shall be vested in trustees under a trust agreement for all subscribers approved by the commissioner and the organization shall be conducted as a nonprofit public service institution; and

(c) The rate service organization shall not be connected with any insurer, except that an insurer may be a subscriber to its services.

(5) If the commissioner finds that the applicant for a license as a rate service organization is competent, trustworthy, and otherwise qualified to act as a rate service organization and that its constitution, articles of agreement or association, or certificate of incorporation or trust agreement, and its bylaws, rules, and regulations governing the conduct of its business conform to the requirements of law, the commissioner shall, upon payment of a twenty-five dollar license fee, issue a license specifying the kinds of insurance, or subdivisions, class of risk, or part or combination thereof, for which the applicant is authorized to act as a rate service organization. The commissioner shall not issue a license if the proposed activity would tend to create a monopoly or to lessen or to destroy price competition.

(6) The commissioner shall grant or deny in whole or in part every application within sixty days of its filing.

(7) A license issued under this section shall remain in effect until the licensee withdraws from the state or until the license is suspended or revoked.

(8) Every rate service organization shall promptly notify the commissioner of any change in:

(a) Its constitution, charter, articles of agreement or association, or certificate of incorporation or trust agreement, or its bylaws, rules, or regulations governing the conduct of its business;

(b) Its lists of members and subscribers; and

(c) The name and address of the resident of this state designated to receive notices or orders of the commissioner or process affecting the rate service organization.

(9) Any notice of change to a document filed under this section shall be filed promptly. Failure to file a notice of change may result in suspension of the license for the period of non-compliance. Willful or repeated failures to file the notice of change may result in revocation of the license.

(10) No provision of this chapter requires, or may be deemed to require, an insurer to subscribe with or otherwise affiliate with a rate service organization.

**NEW SECTION.** Sec. 13. (1) The commissioner may, after a hearing, suspend or revoke the license issued to a rate service organization if:

(a) The commissioner finds that the licensee no longer meets the qualifications for a license; or

(b) The rate service organization fails to comply with an order of the commissioner within the time specified in the order or an extension granted by the commissioner.

(2) The commissioner shall not suspend or revoke a license for failure to comply with an order until the time prescribed by this chapter for an appeal from such order to the superior court has expired, or if an appeal has been taken, until the order has been affirmed.

(3) The commissioner may determine when a suspension or revocation of license shall become effective. A suspension of license shall remain in effect for the period fixed by the commissioner, until the commissioner modifies or rescinds the suspension, or until the order, failure to comply with which constituted grounds for the suspension, is modified, rescinded, or reversed.

**NEW SECTION.** Sec. 14. (1) The reasonableness of any rule which applies to subscribers, or the refusal of any rate service organization or any advisory organization to admit an insurer as a subscriber, shall, at the request of a subscriber or an insurer, be reviewed by the commissioner at a hearing held upon notice to the rate service organization or the advisory organization and to the subscriber or insurer.

(2) If the commissioner finds that the rule is unreasonable in its application to subscribers, the commissioner shall order that the rule not apply to subscribers who are not members of the rate service organization or the advisory organization.

(3) If a rate service organization or an advisory organization fails to grant or reject an insurer's application for subscribership within thirty days of application, the insurer may request a review by the commissioner as if the application had been rejected. If the commissioner finds that the insurer has been refused admittance to the rate service organization or the advisory organization as a subscriber without justification, the commissioner shall order that the rate service or advisory organization admit the insurer as a subscriber. If the commissioner finds that the action of the rate service organization or the advisory organization was justified, the commissioner shall issue an order affirming the action.

(4) Notice of proposed changes in the rules of any rate service organization or advisory organization shall be given to each subscriber.

**NEW SECTION.** Sec. 15. The subscribers of any rate service organization may at any time, individually or through committees representing various subscribers, consult with the rate service organization regarding matters subject to regulation under this chapter that affect the subscribers.

**NEW SECTION.** Sec. 16. Nothing in this chapter may be construed to prohibit or regulate the payment of dividends, savings, or unabsorbed premium deposits, allowed or returned by insurers to their policyholders, members of mutual insurance companies, or subscribers of reciprocal insurance companies. A plan for the payment of dividends, savings, or unabsorbed premium deposits, allowed or returned by insurers to their policyholders, members of mutual insurance companies, or subscribers of reciprocal insurance companies shall not be deemed a rating plan or system.

**NEW SECTION.** Sec. 17. Each rate service organization shall keep accurate and complete records of all work it performs and of its receipts and disbursements. The rate service organization and its records shall be examined by the commissioner at such times and in such manner as provided under chapter 48.03 RCW, except that the examination shall relate only to the activities conducted under this chapter.

**NEW SECTION.** Sec. 18. Each rate service organization and each insurer which makes its own rates shall, within a reasonable time after receiving a written request and payment of any reasonable charge, furnish to an insured affected by a rate made by the organization or insurer, or to the authorized representative of such insured, all pertinent information regarding such rate.

**NEW SECTION.** Sec. 19. Each rate service organization and each insurer which makes its own rates shall provide reasonable means for any person aggrieved by the application of the rating system to be heard, in person or by authorized representative, upon written request to review the manner in which the rating system was applied to the insurance afforded such person. If the rate service organization or insurer fails to grant or reject the request within thirty days, the applicant may proceed in the same manner as if the application had been rejected. Any party affected by the action of the rate service organization or insurer on such request may, within thirty days after written notice of such action, appeal to the commissioner, who, after a hearing held upon notice to the appellant and to the rate service organization or insurer, may affirm or reverse such action.

**NEW SECTION.** Sec. 20. Each advisory organization, before serving as such to any rate service organization or independent insurer doing business in this state, shall file with the commissioner:

(1) A copy of its constitution, its charter, its articles of agreement or association, or its certificate of incorporation or trust agreement, and a copy of its bylaws, rules, and regulations governing the conduct of its business;

(2) A list of its members and a list of its subscribers;

(3) The name and address of a resident of this state upon whom notices or orders of the commissioner or process issued at the commissioner's direction may be served; and

(4) An agreement that the commissioner may examine the advisory organization under RCW 48.03.010, except that the examination shall only relate to the activities conducted under this chapter.

NEW SECTION. Sec. 21. If, after a hearing, the commissioner finds that the furnishing of information or assistance by an advisory organization involves any act or practice which is unfair, unreasonable, or otherwise inconsistent with the provisions of this chapter, the commissioner may issue a written order specifying the manner in which the act or practice is unfair, unreasonable, or otherwise inconsistent, and requiring that the act or practice be discontinued.

NEW SECTION. Sec. 22. No insurer that makes its own filing nor any rate service organization may support its filings by statistics or adopt rate-making recommendations furnished by an advisory organization that has not complied with this chapter or with any order of the commissioner involving the statistics or recommendations issued under section 21 of this act. If the commissioner finds that the insurer or rate service organization is in violation of this section, the commissioner may issue an order requiring that the violation be discontinued.

NEW SECTION. Sec. 23. (1) The commissioner shall adopt reasonable rules and statistical plans, reasonably adapted to each of the rating systems on file with the commissioner, which may be modified at any time and which shall be followed by each insurer to record and report its loss and nation-wide expense experience. Such reporting enables the commissioner to have access to annual data regarding the experiences of all insurers in such form and detail as is needed to assist the commissioner in determining whether rating systems comply with the standards set forth in section 4 of this act. The rules and plans may also provide for the recording and reporting of expense experience items which are specially applicable to this state and are not susceptible of determination by a prorating of nation-wide expense experience.

(2) In adopting rules and plans under subsection (1) of this section, the commissioner shall give due consideration to the rating systems on file with the commissioner and, so that rules and plans may be as uniform as is practicable among the several states, to the rules and plans used in other states.

(3) No insurer may be required to record or report its loss experience on a classification basis which is inconsistent with the rating system it has filed with the commissioner.

(4) The commissioner may designate one or more rate service organizations or other agencies to assist the commissioner in gathering data under this section and making compilations thereof. The compilations shall be made available, subject to reasonable rules adopted by the commissioner, to insurers and rate service organizations.

(5) Reasonable rules and plans may be adopted by the commissioner for any interchange of data needed for the application of rating plans.

NEW SECTION. Sec. 24. No person may willfully withhold information from, or knowingly give false or misleading information to, the commissioner, a statistical agency designated by the commissioner, a rate service organization, or an insurer, that will affect the rates or premiums chargeable under this chapter.

NEW SECTION. Sec. 25. (1) To ascertain whether lawful rates are being charged, the commissioner may permit the organization and operation of examining bureaus that examine policies, daily reports, binders, renewal certificates, endorsements, and other evidence of insurance or of the cancellation of insurance.

(2) A bureau may examine documents regarding such kinds of insurance as the issuing insurers voluntarily submit for examination.

(3) A bureau shall not operate unless licensed by the commissioner for the kinds of insurance it is permitted to examine. To qualify for a license a bureau shall:

(a) Be owned in trust for the benefit of all insurers regularly using its services, under a trust agreement approved by the commissioner;

(b) Make its services available without discrimination to all authorized insurers applying for such services, subject to reasonable rules, approved by the commissioner, for the obligations of the insurers using its services, the conduct of its affairs, and the correction of errors and omissions in documents it examines;

(c) Have no manager or other employee who is also an employee of an insurer, other than to the extent that bureaus and their employees are owned by insurers through trust agreements; and

(d) Pay to the commissioner a fee of ten dollars for the issuance of a license.

(4) A bureau license shall be of indefinite duration and shall remain in effect until revoked by the commissioner or terminated at the request of the bureau. The commissioner may revoke the license, after hearing, if the bureau:

(a) Is no longer qualified for a license;

(b) Fails to comply with a valid order of the commissioner; or

(c) Violates or knowingly participates in the violation of any provision of this chapter.

(5) Any person aggrieved by any rule, act, or omission of a bureau may appeal to the commissioner. The commissioner shall hold a hearing and issue an order upon the appeal.

(6) Each bureau operating in this state shall be subject to the supervision of the commissioner. The commissioner shall conduct examinations of bureaus as provided in chapter 48.03 RCW or this chapter.

(7) Each examining bureau shall keep adequate records of the outstanding errors and omissions found in the coverages it examines and of its receipts and disbursements and shall hold as confidential all information contained in documents submitted to it for examination.

(8) The commissioner shall not license an additional bureau for the examination of documents relating to any kind of insurance if those documents are being examined by an existing licensed bureau. Any examining bureau lawfully operating in this state immediately before the effective date of this act, shall have a prior right to apply for and secure a license under this section.

NEW SECTION. Sec. 26. Rates, supplementary rate information, and policy forms lawfully in use on the effective date of this act may be continued to be used unless subsequently disapproved after a hearing.

NEW SECTION. Sec. 27. The commissioner shall file a report to the legislature by January 31, 1988, evaluating the effect of this chapter upon insureds, insurers, the availability of insurance, insurance rates, market conduct examinations conducted by the commissioner, and any other aspect of this chapter which the commissioner deems significant.

NEW SECTION. Sec. 28. 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. 29. Sections 2 through 27 of this act shall constitute a new chapter in Title 48 RCW.

NEW SECTION. Sec. 30. Sections 2 through 27 of this act shall take effect on January 1, 1986.

NEW SECTION. Sec. 31. Sections 2 through 27 of this act shall expire on January 1, 1990."

#### POINT OF ORDER

Ms. Winsley: "Mr. Speaker, Rule 12(D) says, 'Amendments to be Germane,' and goes on to say, 'No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment and no bill or resolution shall at any time be amended by annexing thereto or incorporating therein any other bill or resolution pending before the house.' This amendment certainly reads the same as House Bill 1249. I challenge that."

#### SPEAKER'S RULING

The Speaker: "There is another point. The Speaker has not had an opportunity to read the amendment which is rather lengthy, and there may be a word or two changed, but the Speaker also noted as he breezed through it, that it does deal with 'file and use' and therefore, is outside the scope and object in that the bill authorizes the insurance commission to establish definitions for homeowners', vehicle and fire insurance policies and it is not consistent with that. Your point is well taken, Representative Winsley."

Substitute House Bill No. 41 was passed to Committee on Rules for third reading.

#### SUBSTITUTE HOUSE BILL NO. 524

The House resumed consideration of the bill on second reading.

The Speaker stated the question before the House to be the Point of Order raised by Representative Hastings relative to the amendment by Representative R. King.

#### SPEAKER'S RULING

Mr. Speaker: "House Bill 524 establishes, Representative Hastings, a procedure for cities and counties to designate environmentally nonsensitive areas for siting manufacturing plants. The amendment provides for designation of environmentally suitable sites by port districts. The Speaker finds that this amendment does not expand the scope and object of the bill and your point is not well taken."

The Speaker stated the question before the House to be the amendment by Representative R. King.

Mr. R. King spoke in favor of the amendment and Representatives Braddock and Lundquist spoke against it.

Mr. R. King spoke again in favor of the amendment.



## POINT OF INQUIRY

Mr. R. King yielded to question by Ms. Belcher.

Ms. Belcher: "Representative King, under a bill that we passed last year, the Aquatic Lands Management Act, we transferred management, on a long term basis, of the state's aquatic lands to port associations. Would this amendment affect the aquatic lands if they don't and leave this to the department?"

Mr. R. King: "I do not know the answer to that off the top of my head. I could add one thing which might address a concern that you have, and that would be that the same safeguard for prejudging land to be environmentally suitable for the development of industry is necessary as is in the rest of the bill. So if you were talking about an aquatic land that was used for environmental purposes, it wouldn't fall under the fast-track siting portion of it."

Ms. Belcher spoke against the amendment.

A division was called.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative R. King to Substitute House Bill No. 524, and the amendment was not adopted by the following vote: Yeas, 12; nays, 84; absent, 1; excused, 1.

Voting yea: Representatives Barnes, Barrett, Baugher, Brough, King P, King R, McMullen, Nelson G, Sutherland, Vekich, Wang, and Mr. Speaker - 12.

Voting nay: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Basich, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, Miller, Nealey, Nelson D, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Walk, Walker, West, Williams B, Williams J, Wilson K, Wineberry, Winsley, Zellinsky - 84.

Absent: Representative Wilson S - 1.

Excused: Representative van Dyke - 1.

Mr. Braddock moved adoption of the following amendment by Representatives Braddock and B. Williams:

Strike everything after the enacting clause and insert the following:

**"NEW SECTION, Sec. 1.** A new section is added to chapter 43.21C RCW to read as follows:

(1) As used in this section, the term 'manufacturing' means all activities of a commercial or industrial nature in which labor or skill is applied, by hand or machinery, to materials so that a new, different, or useful substance or article of tangible personal property is produced for sale or commercial or industrial use. The term includes the production of computer software, other computer-related services, and the activities performed by research and development laboratories and commercial testing laboratories.

(2) A city, town, or county may establish an area of insignificant environmental sensitivity classification for the purpose of expediting the location of manufacturing plants and facilities not having a probable significant, adverse environmental impact in accordance with the criteria contained in this section. The establishment of an area of insignificant environmental sensitivity classification is subject to full environmental review as required for other proposed actions under this chapter.

(3) The area of insignificant environmental sensitivity classification shall be applied only to lands meeting the following criteria:

(a) The lands are designated for manufacturing use under the appropriate comprehensive plan and zoning;

(b) The land is not within the jurisdiction of the Shoreline Management Act of 1971, chapter 90.58 RCW; and

(c) No probable significant, adverse environmental impact has been identified through any process required for compliance with this chapter.

(4) Manufacturing plants and facilities not having a probable significant, adverse environmental impact are those that do not generate dangerous wastes as that term is defined under RCW 70.105.010, and do not generate significant air, water, or noise pollutants or emissions. For the purposes of this section, the determination of what is 'significant' shall be made by the appropriate responsible local official or agency.

(5) Each city, town, or county that intends to establish an area of insignificant environmental sensitivity classification shall do so in accordance with the amendment procedures set forth

in the local ordinance adopted under the authority granted by RCW 43.21C.135 and shall transmit notice of any such proposed action and a map of the area to be so classified to the department of ecology and the department of commerce and economic development. Within sixty days after receiving this notice, the department of ecology shall review and may prohibit all or any portion of the proposed action for failure to comply with the requirements of this section. The classification shall be final for any portion of the proposed action not so prohibited. The responsible official or agency of the city, town, or county establishing the classification shall adopt procedures and fees for its administration.

(6) Any proposed action to locate a manufacturing plant or facility that meets the criteria established under subsection (4) of this section in an area classified as being of insignificant environmental sensitivity under subsection (5) of this section is exempt from the provisions of this chapter that require environmental review or the preparation of an environmental impact statement. For the purposes of this section, any such exempt proposed action shall be considered a 'qualified project.' A city, town, or county may establish a system for imposing mitigation fees and charges on such manufacturing plants and facilities to finance all or part of any public improvements reasonably necessitated by the siting of a manufacturing plant or facility under this section. The system of mitigation fees and charges may include any reasonable conditions and features that may be established by the city, town, or county.

(7) The determination as to whether a proposed action is a qualified project shall be made by the planning director or other responsible official or agency of the city, town, or county where the plan or facility would be located. The applicant for designation of a qualified project shall provide any information necessary to make any such determination.

(8) Nothing in this section may be construed as exempting a qualified project from any state or local planning, zoning, nuisance, permit, performance standard, or development requirement other than those specified in this section.

(9) This section shall not restrict public or private entities from using phased review, or nonproject or other environmental documents, as directed or authorized by RCW 43.21C.110.

(10) To facilitate review and evaluation of the program authorized under this section, each application for a qualified project designation and the decision rendered on each such application shall be transmitted to the director of the department of ecology, who shall make an annual report to the legislature on the operation of the program.

(11) This section shall expire on July 1, 1988."

Representatives Braddock, B. Williams, Lundquist, Schoon and Hastings spoke in favor of the amendment, and Representatives McMullen, K. Wilson, Hine and Jacobsen spoke against it.

Mr. Jacobsen again opposed the amendment.

#### POINT OF INQUIRY

Mr. Braddock yielded to question by Mr. D. Nelson.

Mr. D. Nelson: "Representative Braddock, the amendment, as I read it, under subsection (4) of section 1, would allow manufacturing plants and facilities which do not have a probable significant adverse environmental impact -- and that's defined as those that do not generate dangerous wastes and do not generate significant air, water or noise pollution emissions -- and my question is: Would this amendment allow a plant to be located that has the potential of significant environmental emissions or damage, even though, when it is designed and constructed and operating normally, it does not emit dangerous pollutants?"

Mr. Braddock: "In my opinion, it would not. If the potential were very high, it is going to be judged by the responsible official and that official will apply the standards -- all the existing state and federal standards -- regarding pollutants or dangerous emissions."

Mr. D. Nelson: "I think the question was more to the point that the specific definition says that it does not generate significant air, water and noise pollutants or emissions. Would the official read that strictly or would the official elaborate on that definition and allow and make a ruling on plants that might, if they failed, generate adverse pollutants?"

Mr. Braddock: "I think this amendment changes nothing in that regard. The existing situation they operate under is the same. When you do an environmental impact statement without this amendment you discuss the potential emission and no one knows what may happen ten or twenty years after the project is built. That is for speculation. Under existing conditions, it would be somewhat speculative with or without this amendment."

Representatives D. Nelson and Unsoeld spoke against the amendment, and Mr. Braddock spoke again in favor of it.

Mr. Kremen spoke in favor of the amendment.

Ms. Hankins demanded the previous question, and the demand was sustained.

A division was called.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Braddock and B. Williams to Substitute House Bill No. 524, and the amendment was adopted by the following vote: Yeas, 54; nays, 43; excused, 1.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Basich, Baugher, Betrozoff, Bond, Braddock, Bristow, Brooks, Chandler, Day, Dobbs, Doty, Fuhrman, Hankins, Hargrove, Hastings, Haugen, Holland, Isaacson, King J, Kremen, Lewis, Lundquist, Madsen, May, Nealey, Nelson G, Padden, Patrick, Peery, Prince, Rayburn, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Sutherland, Taylor, Thomas, Tilly, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Zellinsky - 54.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Brekke, Brough, Cole, Crane, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hine, Jacobsen, King P, King R, Leonard, Locke, Long, Lux, McMullen, Miller, Nelson D, Niemi, Nutley, O'Brien, Rust, Sayan, Scott, Sommers, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, and Mr. Speaker - 43.

Excused: Representative van Dyke - 1.

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

On line 2 of the title after "areas;" strike everything through "section;" on line 5 and insert "adding a new section to chapter 43.21C RCW;"

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

#### MOTION FOR RECONSIDERATION

Ms. Brekke, having served previous notice, moved that the House reconsider the vote by which HOUSE BILL NO. 357 failed to pass the House.

Representatives Brekke and Lewis spoke in favor of the motion, and Mr. Padden spoke against it.

A division was called.

#### ROLL CALL

The Clerk called the roll on the motion that the House reconsider the vote by which House Bill No. 357 failed to pass the House, and the motion was carried by the following vote: Yeas, 58; nays, 39; excused, 1.

Voting yea: Representatives Allen, Appelwick, Armstrong, Barnes, Barrett, Basich, Baugher, Belcher, Braddock, Brekke, Brough, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Lux, Madsen, McMullen, Miller, Nelson D, Niemi, Nutley, O'Brien, Patrick, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Tilly, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, and Mr. Speaker - 58.

Voting nay: Representatives Addison, Ballard, Betrozoff, Bond, Bristow, Brooks, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, Locke, Long, Lundquist, May, Nealey, Nelson G, Padden, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Zellinsky - 39.

Excused: Representative van Dyke - 1.

#### MOTIONS

On motion of Mr. J. King, further consideration of House Bill No. 357 was deferred, and the bill was ordered placed at the top of tomorrow's third reading calendar.

On motion of Mr. J. King, SENATE BILL NO. 3765 was referred from Committee on Energy & Utilities to Committee on Local Government.

## MOTION

On motion of Mr. J. King, the House adjourned until 9:30 a.m., Wednesday, March 20, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk

## SIXTY-SIXTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, March 20, 1985.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative P. King, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Pages Latresa Steward and Kimberley Muir. Prayer was offered by The Reverend David Shaw, Minister of the First Baptist Church of Olympia.

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

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

## SECOND READING

HOUSE BILL NO. 781, by Representatives Jacobsen, Prince, Niemi, Allen, D. Nelson, Appelwick, J. Williams, Sommers, Tanner, P. King and Wineberry

Creating a Washington distinguished professorship program.

The bill was read the second time. On motion of Mr. Jacobsen, Substitute House Bill No. 781 was substituted for House Bill No. 781, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 781 was read the second time.

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

On page 2, line 29 strike "disperse" and insert "disburse"

On page 2, beginning on line 30 after "deposited" strike everything down to and including "first" on line 31 and insert "If the pledged \$250,000 is not deposited in the endowment within five years, the treasurer shall make the earmarked matching funds available for another pledged professorship."

Mr. G. Nelson moved adoption of the following amendment:

On page 3, after line 20 insert the following:

"NEW SECTION. Sec. 6. A new section is added to chapter 28B.10 RCW as follows:

Any private or public moneys deposited in the Washington distinguished professorship trust fund or any local endowment for professorship programs shall not be subject to collective bargaining."

Renumber the remaining sections consecutively.

Representatives G. Nelson, Taylor, Hastings and Miller spoke in favor of the amendment, and Representative R. King spoke against it.

Mr. G. Nelson spoke again in favor of the amendment.

Mr. Crane demanded the previous question and the demand was sustained.

The amendment was adopted.

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

Representatives Jacobsen, Prince and Taylor spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 781, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher,

Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative King P - 1.

Engrossed Substitute House Bill No. 781, having received the 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. 820, by Representatives Wineberry, Patrick, Lux, Lewis, Appelwick, Dellwo, Jacobsen, Day, Sayan and Unsoeld

Providing services for persons with developmental disabilities.

The bill was read the second time. On motion of Mr. Wineberry, Substitute House Bill No. 820 was substituted for House Bill No. 820, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 820 was read the second time.

On motion of Mr. Barrett, the following amendment was adopted:  
On page 2, line 3 following "funds" insert "or any other funds"

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

HOUSE BILL NO. 1172, by Representatives Lux and Wang

Authorizing insurance agents and brokers to charge for services.

The bill was read the second time. On motion of Mr. Lux, Substitute House Bill No. 1172 was substituted for House Bill No. 1172, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1172 was read the second time.

On motion of Mr. Tilly, the following amendment by Representatives Tilly and Lux was adopted:

On page 1, line 21 after "1986." strike all material down to and including "act." on line 25.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1172, and the bill passed the House by the following vote: Yeas, 95; nays, 2; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Belcher, Betzoff, Bond, Braddock, Brække, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representatives Baugher, West - 2.

Excused: Representative King P - 1.

Engrossed Substitute House Bill No. 1172, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker (Mr. O'Brien presiding) declared the House recessed until 1:15 p.m.

## AFTERNOON SESSION

The House was called to order at 1:15 p.m. by the Speaker. The Clerk called the roll and all members were present.

## SECOND READING

HOUSE BILL NO. 680, by Representatives Rust, Valle, Allen, Unsoeld, Ebersole, Cole, Sayan and P. King

Adopting Puget Sound water quality policy.

The bill was read the second time. On motion of Ms. Hine, Substitute House Bill No. 680 was substituted for House Bill No. 680, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 680 was read the second time.

Mr. Braddock moved adoption of the following amendment by Representatives Braddock and Kremen:

On page 3, after line 28 insert the following:

"Sec. 5, Section 1, chapter 216, Laws of 1945 as amended by section 1, chapter 155, Laws of 1973 and RCW 90.48.010 are each amended to read as follows:

It is declared to be the public policy of the state of Washington to maintain the highest possible standards to ~~((insure))~~ protect the ~~((purity))~~ quality of all waters of the state consistent with public health and public enjoyment thereof, the propagation and protection of wild life, birds, game, fish, and other aquatic life, and the industrial development of the state, and to that end require the use of ~~((all))~~ any known, available and reasonable methods by industries and others sufficient to prevent and control the pollution of the waters of the state of Washington. Consistent with this policy, the state of Washington will exercise its powers, as fully and as effectively as possible, to retain and secure high quality for all waters of the state. The state of Washington in recognition of the federal government's interest in the quality of the navigable waters of the United States, of which certain portions thereof are within the jurisdictional limits of this state, proclaims a public policy of working cooperatively with the federal government in a joint effort to extinguish the sources of water quality degradation, while at the same time preserving and vigorously exercising state powers to insure that present and future standards of water quality within the state shall be determined by the citizenry, through and by the efforts of state government, of the state of Washington.

Sec. 6, Section 4, chapter 160, Laws of 1971 ex. sess. and RCW 90.52.040 are each amended to read as follows:

In the administration of the provisions of chapter 90.48 RCW, the director of the department of ecology shall ~~((regardless of the quality of the water of the state to which wastes are discharged or proposed for discharge, and regardless of the minimum water quality standards established by the director for said waters;))~~ require wastes to be provided with ~~((all))~~ any known, available ~~((:))~~ and reasonable methods of treatment sufficient to prevent and control the pollution of the waters of this state prior to their discharge or entry into waters of the state unless such discharge or entry will not reduce the water quality standards of those waters.

Sec. 7, Section 2, chapter 225, Laws of 1971 ex. sess. and RCW 90.54.020 are each amended to read as follows:

Utilization and management of the waters of the state shall be guided by the following general declaration of fundamentals:

(1) Uses of water for domestic, stock watering, industrial, commercial, agricultural, irrigation, hydroelectric power production, mining, fish and wildlife maintenance and enhancement, recreational, and thermal power production purposes, and preservation of environmental and aesthetic values, and all other uses compatible with the enjoyment of the public waters of the state, are declared to be beneficial.

(2) Allocation of waters among potential uses and users shall be based generally on the securing of the maximum net benefits for the people of the state. Maximum net benefits shall constitute total benefits less costs including opportunities lost.

(3) The quality of the natural environment shall be protected and, where possible, enhanced as follows:

(a) Perennial rivers and streams of the state shall be retained with base flows necessary to provide for preservation of wildlife, fish, scenic, aesthetic, and other environmental values, and navigational values. Lakes and ponds shall be retained substantially in their natural condition. Withdrawals of water which would conflict therewith shall be authorized only in those situations where it is clear that overriding considerations of the public interest will be served.

(b) Waters of the state shall be of high quality. ~~((Regardless of the quality of the waters of the state;))~~ All wastes and other materials and substances proposed for entry into said waters shall be provided with ~~((all))~~ any known, available ~~((:))~~ and reasonable methods of treatment

sufficient to prevent and control the pollution of the waters of this state prior to entry. Notwithstanding that standards of quality established for the waters of the state would not be violated, wastes and other materials and substances shall not be allowed to enter such waters which will reduce the existing quality thereof, except in those situations where it is clear that overriding considerations of the public interest will be served.

(4) Adequate and safe supplies of water shall be preserved and protected in potable condition to satisfy human domestic needs.

(5) Multiple-purpose impoundment structures are to be preferred over single-purpose structures. Due regard shall be given to means and methods for protection of fishery resources in the planning for and construction of water impoundment structures and other artificial obstructions.

(6) Federal, state, and local governments, individuals, corporations, groups, and other entities shall be encouraged to carry out practices of conservation as they relate to the use of the waters of the state.

(7) Development of water supply systems, whether publicly or privately owned, which provide water to the public generally in regional areas within the state shall be encouraged. Development of water supply systems for multiple domestic use which will not serve the public generally shall be discouraged where water supplies are available from water systems serving the public.

(8) Full recognition shall be given in the administration of water allocation and use programs to the natural interrelationships of surface and ground waters.

(9) Expressions of the public interest will be sought at all stages of water planning and allocation discussions.

(10) Water management programs, including but not limited to, water quality, flood control, drainage, erosion control, and storm runoff are deemed to be in the public interest."

Representatives Braddock, Lundquist, Zellinsky, Miller and Dobbs spoke in favor of the amendment, and Representatives Hine, Smitherman and Rust spoke against it.

Representatives Hine and Rust again opposed the amendment, and Mr. G. Nelson spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Braddock and Kremen to Substitute House Bill No. 680, and the amendment was adopted by the following vote: Yeas, 59; nays, 39.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Basich, Baugher, Betrozoff, Bond, Braddock, Brøkke, Brooks, Brough, Chandler, Day, Dobbs, Doty, Ebersole, Fisch, Fuhrman, Hankins, Hargrove, Hastings, Haugen, Holland, Isaacson, Kremen, Lewis, Locke, Long, Lundquist, May, McMullen, Miller, Nealey, Nelson G, Niemi, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Vekich, Walker, West, Williams B, Williams J, Wilson S, Winsley, Zellinsky - 59.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Bristow, Cole, Crane, Dellwo, Fisher, Gallagher, Grimm, Hine, Jacobsen, King J, King P, King R, Leonard, Lux, Madsen, Nelson D, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Walk, Wang, Wilson K, Wineberry, and Mr. Speaker - 39.

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

On line 1 of the title after "quality;" insert "amending RCW 90.48.010, 90.52.040, and 90.54.020;"

Substitute House Bill No. 680 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 839, by Representatives Cole, G. Nelson, Rust and Wang

Requiring comprehensive land use plans to consider and provide corrective action against discharges into waters entering Puget Sound.

The bill was read the second time. On motion of Ms. Hine, Substitute House Bill No. 839 was substituted for House Bill No. 839, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 839 was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Cole and Brough spoke in favor of passage of the bill.



## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 839, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 839, having received the 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. 1068, by Representatives Smitherman, Zellinsky, Wang, Schmidt, J. King, Vekich, G. Nelson, Thomas, May and Hine

Providing for state and local action to preserve commercial and recreational shellfish areas.

The bill was read the second time. On motion of Ms. Hine, Second Substitute House Bill No. 1068 was substituted for House Bill No. 1068, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 1068 was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Smitherman spoke in favor of passage of the bill, and Mr. Lewis spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1068, and the bill passed the House by the following vote: Yeas, 96; nays, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representatives Fuhrman, Lewis - 2.

Second Substitute House Bill No. 1068, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 814, by Representatives Unsoeld, Rust, Miller, Jacobsen, Holland, G. Nelson and Barnes

Requiring the department of ecology to review Puget Sound wastewater standards.

The bill was read the second time. On motion of Ms. Hine, Substitute House Bill No. 814 was substituted for House Bill No. 814, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 814 was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 814, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Berozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Loven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

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

HOUSE BILL NO. 606, by Representatives Unsoeld, Belcher, Haugen and K. Wilson

Providing for lake management districts.

The bill was read the second time. On motion of Ms. Haugen, Substitute House Bill No. 606 was substituted for House Bill No. 606, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 606 was read the second time. On motion of Mr. J. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Unsoeld, Madsen and Brough spoke in favor of passage of the bill.

## POINT OF INQUIRY

Ms. Unsoeld yielded to question by Mr. Schoon.

Mr. Schoon: "Representative Unsoeld, can you tell me, on the lake improvement district, how far back from the lake would the lake improvement district cover? Is this a process by which those homeowners would have themselves included?"

Ms. Unsoeld: "Representative Schoon, that is part of what I referred to as a negotiated part. The community itself would negotiate the boundaries of that district, and then the process would be put into order for them to vote on and establish that as a district."

Mr. Schoon spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 606, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Berozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Loven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 606, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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

HOUSE BILL NO. 815, by Representatives Unsoeld, Jacobsen and G. Nelson

Revising provisions relating to sewage treatment facilities.

The bill was read the second time. On motion of Ms. Hine, Substitute House Bill No. 815 was substituted for House Bill No. 815, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 815 was read the second time.

The Clerk read the following amendment by Representatives Braddock and Kremen:

On page 2, after line 8 insert the following:

"Sec. 4. Section 1, chapter 216, Laws of 1945 as amended by section 1, chapter 155, Laws of 1973 and RCW 90.48.010 are each amended to read as follows:

It is declared to be the public policy of the state of Washington to maintain the highest possible standards to ~~((insure))~~ protect the ~~((parity))~~ quality of all waters of the state consistent with public health and public enjoyment thereof, the propagation and protection of wild life, birds, game, fish, and other aquatic life, and the industrial development of the state, and to that end require the use of ~~((all))~~ any known, available and reasonable methods by industries and others sufficient to prevent and control the pollution of the waters of the state of Washington. Consistent with this policy, the state of Washington will exercise its powers, as fully and as effectively as possible, to retain and secure high quality for all waters of the state. The state of Washington in recognition of the federal government's interest in the quality of the navigable waters of the United States, of which certain portions thereof are within the jurisdictional limits of this state, proclaims a public policy of working cooperatively with the federal government in a joint effort to extinguish the sources of water quality degradation, while at the same time preserving and vigorously exercising state powers to insure that present and future standards of water quality within the state shall be determined by the citizenry, through and by the efforts of state government, of the state of Washington.

Sec. 5. Section 4, chapter 160, Laws of 1971 ex. sess. and RCW 90.52.040 are each amended to read as follows:

In the administration of the provisions of chapter 90.48 RCW, the director of the department of ecology shall ~~((regardless of the quality of the water of the state to which wastes are discharged or proposed for discharge, and regardless of the minimum water quality standards established by the director for said waters.))~~ require wastes to be provided with ~~((all))~~ any known, available~~((:))~~ and reasonable methods of treatment sufficient to prevent and control the pollution of the waters of this state prior to their discharge or entry into waters of the state unless such discharge or entry will not reduce the water quality standards of those waters.

Sec. 6. Section 2, chapter 225, Laws of 1971 ex. sess. and RCW 90.54.020 are each amended to read as follows:

Utilization and management of the waters of the state shall be guided by the following general declaration of fundamentals:

(1) Uses of water for domestic, stock watering, industrial, commercial, agricultural, irrigation, hydroelectric power production, mining, fish and wildlife maintenance and enhancement, recreational, and thermal power production purposes, and preservation of environmental and aesthetic values, and all other uses compatible with the enjoyment of the public waters of the state, are declared to be beneficial.

(2) Allocation of waters among potential uses and users shall be based generally on the securing of the maximum net benefits for the people of the state. Maximum net benefits shall constitute total benefits less costs including opportunities lost.

(3) The quality of the natural environment shall be protected and, where possible, enhanced as follows:

(a) Perennial rivers and streams of the state shall be retained with base flows necessary to provide for preservation of wildlife, fish, scenic, aesthetic, and other environmental values, and navigational values. Lakes and ponds shall be retained substantially in their natural condition. Withdrawals of water which would conflict therewith shall be authorized only in those situations where it is clear that overriding considerations of the public interest will be served.

(b) Waters of the state shall be of high quality. ~~((Regardless of the quality of the waters of the state.))~~ All wastes and other materials and substances proposed for entry into said waters shall be provided with ~~((all))~~ any known, available~~((:))~~ and reasonable methods of treatment sufficient to prevent and control the pollution of the waters of this state prior to entry. Notwithstanding that standards of quality established for the waters of the state would not be violated, wastes and other materials and substances shall not be allowed to enter such waters which will reduce the existing quality thereof, except in those situations where it is clear that overriding considerations of the public interest will be served.

(4) Adequate and safe supplies of water shall be preserved and protected in potable condition to satisfy human domestic needs.

(5) Multiple-purpose impoundment structures are to be preferred over single-purpose structures. Due regard shall be given to means and methods for protection of fishery resources in the planning for and construction of water impoundment structures and other artificial obstructions.

(6) Federal, state, and local governments, individuals, corporations, groups, and other entities shall be encouraged to carry out practices of conservation as they relate to the use of the waters of the state.

(7) Development of water supply systems, whether publicly or privately owned, which provide water to the public generally in regional areas within the state shall be encouraged. Development of water supply systems for multiple domestic use which will not serve the public generally shall be discouraged where water supplies are available from water systems serving the public.

(8) Full recognition shall be given in the administration of water allocation and use programs to the natural interrelationships of surface and ground waters.

(9) Expressions of the public interest will be sought at all stages of water planning and allocation discussions.

(10) Water management programs, including but not limited to, water quality, flood control, drainage, erosion control, and storm runoff are deemed to be in the public interest."

With the consent of the House, Mr. Braddock withdrew the amendment.

On motion of Ms. Sommers, the following amendment by Representatives Sommers, Hine and G. Nelson was adopted:

On page 2, line 9 insert the following:

"NEW SECTION. Sec. 4. The department of ecology shall collect administrative expenses from any person or entity requesting action of the department pertaining to the processing of applications for permits provided in RCW 90.48.160, 90.48.162, and 90.48.260. For the purposes of this section, 'administrative expenses' shall mean the total actual costs incurred by the department in processing such permit applications."

On motion of Mr. G. Nelson, the following amendments to the title of the bill were adopted:

On page 1, line 1 after "and" strike "creating" and insert "adding"

On page 1, line 1 after "sections" insert "to chapter 90.48 RCW"

Substitute House Bill No. 815 was ordered engrossed. On motion of Mr. J. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### POINT OF INQUIRY

Mr. Lewis asked Mr. Braddock to yield to question and Mr. Braddock refused to yield.

Representatives Lundquist and Hine spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 815, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Liven, Vander Stoep, Vekich, Waik, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Engrossed Substitute House Bill No. 815, having received the 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. 975, by Representatives Rust, Allen, Jacobsen, Unsoeld, Barnes, Valle and Lux

Revising provisions relating to hazardous wastes.

The bill was read the second time. On motion of Mr. Braddock, Second Substitute House Bill No. 975 was substituted for House Bill No. 975, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 975 was read the second time.

Ms. Rust moved adoption of the following amendments by Representatives Rust and Allen:

On page 12, line 3 after "department." strike everything down to and including "legislature." on line 9

On page 14, after line 10 insert the following new section:

NEW SECTION. Sec. 15. The requirements of sections 4 through 8 of this act and section 10(4) of this act shall not become mandatory until funding is appropriated by the legislature." Renumber the remaining sections consecutively.

Representatives Rust and Allen spoke in favor of the amendments, and they were adopted.

Mr. Braddock moved adoption of the following amendment:

On page 15, beginning on line 8 strike all of section 18 and renumber the remaining section.

Mr. Braddock spoke in favor of the amendment, and Ms. Allen spoke against it.

Mr. Braddock spoke again in favor of the amendment.

A division was called.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Braddock to Second Substitute House Bill No. 975, and the amendment was adopted by the following vote: Yeas, 50; nays, 48.

Voting yea: Representatives Addison, Armstrong, Barnes, Barrett, Basich, Baugher, Bond, Braddock, Brekke, Bristow, Crane, Day, Dellwo, Doty, Fisch, Grimm, Hankins, Hargrove, Hastings, Haugen, Isaacson, King J, King P, Kremen, Madsen, May, McMullen, Niemi, Nutley, O'Brien, Peery, Rayburn, Sanders, Sayan, Schmidt, Schoon, Silver, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Williams B, Williams J, Wilson K, Wilson S, Zellinsky, and Mr. Speaker - 50.

Voting nay: Representatives Allen, Appelwick, Ballard, Belcher, Betrozoff, Brooks, Brough, Chandler, Cole, Dobbs, Ebersole, Fisher, Fuhrman, Gallagher, Hine, Holland, Jacobsen, King R, Leonard, Lewis, Locke, Long, Lundquist, Lux, Miller, Nealey, Nelson D, Nelson G, Padden, Patrick, Prince, Rust, Scott, Smith C, Smith L, Taylor, Thomas, Tilly, Unsoeld, Valle, van Dyke, Van Luvan, Vander Stoep, Walker, Wang, West, Wineberry, Winsley - 48.

On motion of Mr. Braddock, the following amendment to the title of the bill was adopted:

On page 1, line 3 of the title strike "; and making appropriations"

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

Representatives Rust, D. Nelson, Allen and J. King spoke in favor of passage of the bill, and Mr. Lewis opposed it.

Ms. Rust spoke again in favor of the bill, and Mr. Lewis again opposed it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 975, and the bill passed the House by the following vote: Yeas, 96; nays, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R,

Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representatives Fuhrman, Lewis - 2.

Engrossed Second Substitute House Bill No. 975, having received the 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. 1170, by Representatives Lux, Wang, Rust, Ebersole, Valle, Cole, Scott, D. Nelson, Unsoeld, Leonard, Sayan, Wineberry, Hine, Fisher and Todd

Adding requirements to the worker and community right to know act.

The bill was read the second time. On motion of Ms. Rust, Substitute House Bill No. 1170 was substituted for House Bill No. 1170, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1170 was read the second time.

Mr. Fuhrman moved adoption of the following amendment:

On page 2, after line 17 insert

"(5) This section shall not apply with respect to employees who are not United States citizens, resident aliens or alien refugees. Employees who are not United States citizens, resident aliens or alien refugees shall not be allowed to occupy a job in which hazardous substances may be handled."

Mr. Fuhrman spoke in favor of the amendment, and Representatives Rust, Lux and Sayan spoke against it.

Mr. Fuhrman spoke again in favor of the amendment.

The amendment was not adopted.

Mr. Tilly moved adoption of the following amendment:

On page 5, after line 33 insert:

"NEW SECTION, Sec. 8. If specific funding for the purposes of this act, referencing this act by bill number, is not provided in the omnibus appropriations act for the fiscal year beginning July 1, 1985, this act shall be null and void."

Renumber the remaining sections consecutively.

Representatives Tilly and G. Nelson spoke in favor of the amendment, and Representatives Rust and Lux spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Tilly to Substitute House Bill No. 1170, and the amendment was not adopted by the following vote: Yeas, 45; nays, 53.

Voting yea: Representatives Ballard, Barrett, Baugher, Betrozoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Rayburn, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley, Zellinsky - 45.

Voting nay: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Basich, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, and Mr. Speaker - 53.

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

Representatives Lux and Baugher spoke in favor of passage of the bill, and Representative Fuhrman spoke against it.

## POINT OF INQUIRY

Ms. Rust yielded to question by Ms. Allen.

Ms. Allen: "Representative Rust, Substitute House Bill No. 1170 is not as comprehensive as the Worker's Right to Know legislation that was before this House last session. Is this bill intended to provide all the provisions necessary to implement the worker's right to know program?"

Ms. Rust: "No, Representative Allen, last year the Department of Labor and Industries, in response to federal requirements, adopted regulations implementing the workers' right to know program. Substitute House Bill 1170 is intended to supplement these regulations and does not attempt to put existing regulations into law."

Representatives Allen and Rust spoke in favor of the bill, and Mr. Chandler opposed it.

## POINT OF INQUIRY

Ms. Rust yielded to question by Mr. Schoon.

Mr. Schoon: "In the floor billbooks, it indicates that the advisory council will be appointed of sixteen members; that if there are no appointments made within three months after June 7, 1984, the department head can make his own appointment. I wanted to clarify that that is a typographical error and it should be 1985 instead of 1984?"

Ms. Rust: "That is the section that is being amended so that date would not be a retroactive date. It's an amendment that has been taken out."

Representatives van Dyke, May and Schoon spoke against passage of the bill, and Mr. Lux spoke again in favor of it.

Mr. Crane demanded the previous question and the demand was sustained.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1170, and the bill passed the House by the following vote: Yeas, 59; nays, 39.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Basich, Belcher, Braddock, Brekke, Brough, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lux, Madsen, McMullen, Miller, Nelson D, Niemi, Nutley, O'Brien, Patrick, Peery, Rust, Sayan, Schmidt, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 59.

Voting nay: Representatives Ballard, Barnes, Barrett, Baugher, Betrozoff, Bond, Bristow, Brooks, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Isaacson, Lewis, Lundquist, May, Nealey, Nelson G, Padden, Prince, Rayburn, Sanders, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S - 39.

Substitute House Bill No. 1170, having received the 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. 865, by Representatives Valle, Rust, Isaacson, Jacobsen, Allen and Lux

Creating a toxic information and education office.

The bill was read the second time. On motion of Ms. Rust, Substitute House Bill No. 865 was substituted for House Bill No. 865, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 865 was read the second time.

Ms. Rust moved adoption of the following amendments:

On page 1, line 11 after "agencies" strike "and businesses"

On page 1, line 12 beginning with "own" strike "own or operate" and insert "regulate"

On page 1, line 16 after "agency" strike "or business"

On page 1, line 22 after "(a)" strike "historic"

On page 1, line 23 after "(b)" strike "Historic quantity of hazardous substances" and insert "extremely hazardous, moderate risks wastes and dangerous wastes as defined in 70.105"

On page 1, line 25 after "the" strike "chemicals" and insert "hazardous substances"

Representatives Rust and Allen spoke in favor of the amendments and they were adopted.

Mr. Tilly moved adoption of the following amendment:

On page 3, line 15, after "act" insert "Provided that if specific funding for the purposes of this act, referencing this act by bill number, is not provided in the omnibus appropriations act for the fiscal year beginning July 1, 1985, this act shall be null and void."

Mr. Tilly spoke in favor of the amendment, and Ms. Rust spoke against it.

The amendment was not adopted.

Ms. Rust moved adoption of the following amendment:

On page 3, following line 15 insert:

"NEW SECTION. Sec. 5. Funds in the worker and community right to know fund established under RCW 49.70.170 may be spent by the department of ecology to implement section 1 (1) through (3) of this act following legislative appropriation. Disbursements from the fund shall be on authorization of the director of the department of ecology."

Representatives Rust and Allen spoke in favor of the amendment, and it was adopted.

On motion of Ms. Rust, the following amendment to the title was adopted:

On page 1, line 2 after "RCW;" strike "prescribing penalties;"

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 865, and the bill passed the House by the following vote: Yeas, 96; nays, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Belcher, Betzoff, Bond, Braddock, Brekke, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Sloep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representatives Baugher, Bristow - 2.

Engrossed Substitute House Bill No. 865, having received the 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. 1177, by Representative Lux

Providing public access to records of hazardous waste handlers.

The bill was read the second time. On motion of Ms. Rust, Substitute House Bill No. 1177 was substituted for House Bill No. 1177, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1177 was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1177, and the bill passed the House by the following vote: Yeas, 97; nays, 1.



Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Voting nay: Representative Baugher - 1.

Substitute House Bill No. 1177, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 974, by Representatives Rust, Allen, Jacobsen, Lewis, Unsoeld, Valle, May, Miller, K. Wilson and Todd

Modifying provisions on acid rain.

The bill was read the second time. On motion of Mr. Braddock, Substitute House Bill No. 974 was substituted for House Bill No. 974, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 974 was read the second time.

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

On page 3, beginning on line 12 strike all of sections 6 and 7.

On page 1, line 3 of the title strike "; providing an effective date; and declaring an emergency"

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

Representatives Rust and Tilly spoke in favor of the bill, and Representatives Bond and Lewis opposed it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 974, and the bill passed the House by the following vote: Yeas, 95; nays, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representatives Bond, Lewis, Padden - 3.

Engrossed Substitute House Bill No. 974, having received the 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. 3, by Representatives Sutherland, Tanner, Rust and Unsoeld

Providing for protection from radiation.

The bill was read the second time. On motion of Mr. Sutherland, Second Substitute House Bill No. 3 was substituted for House Bill No. 3, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 3 was read the second time.

On motion of Mr. Sutherland, the following amendment by Representatives Sutherland, Long and Isaacson was adopted:

On page 3, beginning on line 8 after "3." strike all material down to and including line 10 and insert "The department of ecology shall seek federal funding, such as is available under

the clean air act (42 U.S.C. Sec. 1857 et seq.) and the nuclear waste policy act (42. U.S.C. Sec. 10101 et seq.) to carry out the purposes of RCW 70.98.050(4)(c)."

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

Representatives Sutherland and Miller spoke in favor of passage of the bill, and Mr. Isaacson spoke against it.

#### POINT OF INQUIRY

Mr. Sutherland yielded to question by Ms. Schmidt.

Ms. Schmidt: "Representative Sutherland, in section 2 we're striking some language, and I guess I just want you to assure me that we are not sending a message that there is any change in who has jurisdiction over the right of entry on federal security areas. The language there, by taking it out, remains silent as to who will have jurisdiction. Is it your intent to change the fact that the federal government has the authority to allow you or not allow you onto a security area?"

Mr. Sutherland: "The federal government would retain rights on a specific project. That is correct."

Ms. Schmidt: "So this would not change the access requirements on any federal areas?"

Mr. Sutherland: "Not to my understanding, provided that they say that you can't go onto it."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 3, and the bill passed the House by the following vote: Yeas, 85; nays, 13.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Basich, Belcher, Betrozoff, Braddock, Brekke, Bristol, Brooks, Brough, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 85.

Voting nay: Representatives Barnes, Baugher, Bond, Chandler, Fuhrman, Hankins, Hastings, Isaacson, Lewis, Nealey, Prince, Sanders, Smith C - 13.

Engrossed Second Substitute House 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.

HOUSE BILL NO. 506, by Representatives Jacobsen, Allen, Belcher, Miller, Braddock, Long, Valle, Brough, D. Nelson, Hine, Haugen, Cole, Rust, P. King, Niemi, Schmidt, Leonard, Winsley, Appelwick, Ebersole, R. King, Locke, O'Brien, McMullen, Fisch, Lux and Zellinsky

Establishing a Puget Sound institute.

The bill was read the second time. On motion of Ms. Hine, Substitute House Bill No. 506 was substituted for House Bill No. 506, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 506 was read the second time.

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

On page 3, beginning on line 8 strike section 9 and renumber the remaining sections consecutively.

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

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

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 506, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Engrossed Substitute House Bill No. 506, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Mr. Appelwick, the House recessed until 6:30 p.m.

## EVENING SESSION

The House was called to order at 6:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative B. Williams and the Speaker, who were excused.

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

## THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 393, by Committee on State Government (originally sponsored by Representatives Brooks, Belcher, J. Williams, O'Brien and Hankins; by Department of General Administration request)

Revising state competitive bidding procedures.

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

Representatives Brooks and Belcher spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 393, and the bill passed the House by the following vote: Yeas, 92; absent, 4; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams J, Wilson K, Wilson S, Wineberry, Winsley - 92.

Absent: Representatives Barrett, Lewis, May, Zellinsky - 4.

Excused: Representatives Williams B. and Mr. Speaker - 2.

Engrossed Substitute House Bill No. 393, having received the 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. 500, by Committee on Ways & Means (originally sponsored by Representatives Brekke, Lewis, Braddock and Ballard; by Department of Social and Health Services request)

Revising certain coverages of medical care programs.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 500, and the bill passed the House by the following vote: Yeas, 94; absent, 2; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams J, Wilson K, Wilson S, Wineberry, Winsley - 94.

Absent: Representatives Barrett, Zellinsky - 2.

Excused: Representatives Williams B, and Mr. Speaker - 2.

Engrossed Substitute House Bill No. 500, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker appeared at the bar of the House.

SUBSTITUTE HOUSE BILL NO. 936, by Committee on Financial Institutions & Insurance (originally sponsored by Representatives Crane, Barrett, Wang, Holland, P. King, K. Wilson, Jacobsen and Winsley)

Restricting exercise of due-on-sale clauses.

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

Representatives Crane, Padden and Wang spoke in favor of passage of the bill, and Representatives Lux and Prince spoke against it.

#### POINT OF INQUIRY

Mr. Wang yielded to question by Ms. Long.

Ms. Long: "Representative Wang, can you just tell me if this bill would negate any existing contracts without the agreement of both parties who entered into the contract in the beginning?"

Mr. Wang: "No, it would not negate an existing contract."

Ms. Long: "Would it change it?"

Mr. Wang: "No, it would continue the validity of the existing contract."

Ms. Long: "It does not change the original contract without the agreement of both parties?"

Mr. Wang: "It does not change the original contract because the provisions in there were unenforceable and were, in effect, illegal at the time."

Mr. Crane spoke again in favor of the bill.

Ms. Hine demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 936, and the bill passed the House by the following vote: Yeas, 87; nays, 10; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vekich, Walk, Walker, Wang, West, Wilson K, Wineberry, Winsley, Zellinsky - 87.

Voting nay: Representatives Dobbs, Haugen, Lundquist, Lux, Prince, Sommers, Vander Stoep, Williams J, Wilson S, and Mr. Speaker - 10.

Excused: Representative Williams B - 1.

Substitute House Bill No. 936, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker assumed the Chair.

HOUSE BILL NO. 575, by Representatives Fisher, Winsley, Fisch, Walk, Wang, Smitherman and Ebersole

Authorizing payroll deductions for political contributions by public transportation employees.

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

Ms. Fisher spoke in favor of the bill, and Mr. Nealey spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 575, and the bill passed the House by the following vote: Yeas, 52; nays, 45; excused, 1.

Voting yea: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 52.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, Lewis, Locke, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams J, Wilson S - 45.

Excused: Representative Williams B - 1.

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.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1077, by Committee on Ways & Means (originally sponsored by Representatives Niemi, Lewis, Holland, J. King, Leonard, Cole, R. King, Winsley and Wineberry; by Governor request)

Implementing procedures to control and monitor health care costs.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1077, and the bill passed the House by the following vote: Yeas, 79; nays, 18; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Betzoff, Braddock, Brekke, Bristow, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Prince, Rayburn, Rust, Sanders, Sayan, Schoon, Scott, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Tilly, Todd, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Wang, West, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 79.

Voting nay: Representatives Baugher, Belcher, Bond, Brooks, Fuhrman, Hankins, Hastings, Isaacson, Lux, Peery, Schmidt, Silver, Thomas, Unsoeld, Walk, Walker, Williams J, Zellinsky - 18.

Excused: Representative Williams B - 1.

Engrossed Substitute House Bill No. 1077, having received the 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. 41, by Committee on Financial Institutions & Insurance (originally sponsored by Representatives Lux, Winsley, Zellinsky, Prince, Schoon, Wang, Miller and Tanner)

Authorizing the commissioner to establish reasonable minimum standards in vehicle, property, and casualty insurance policies.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 41, and the bill passed the House by the following vote: Yeas, 88; nays, 9; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 88.

Voting nay: Representatives Bond, Crane, Hargrove, Hastings, King P, Lewis, Padden, Peery, West - 9.

Excused: Representative Williams B - 1.

Substitute House 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 FOR RECONSIDERATION

Mr. Appelwick, having previously served notice, moved that the House now reconsider the vote by which Engrossed Second Substitute House Bill No. 1078 failed to pass the House.

A division was called.

#### ROLL CALL

The Clerk called the roll on the motion that the House reconsider the vote by which Engrossed Second Substitute House Bill No. 1078 failed to pass the House, and the motion was carried by the following vote: Yeas, 52; nays, 45; excused, 1.

Voting yea: Representatives Appelwick, Armstrong, Basich, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 52.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Baugher, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Rayburn, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams J, Wilson S - 45.

Excused: Representative Williams B - 1.

The Speaker stated the question before the House to be reconsideration of final passage of Engrossed Second Substitute House Bill No. 1078.

Representatives Ebersole, Wineberry and Cole spoke in favor of the bill, and Representatives Schoon, Vander Stoep and Long spoke against it.

#### POINT OF INQUIRY

Mr. Grimm yielded to question by Ms. K. Wilson.

Ms. K. Wilson: "Representative Grimm, as a teacher I am totally convinced of the cost effectiveness of early childhood education, but I voted against this bill on the first time because of the tremendous cost and I thought it was ridiculous to try to legislate a new program when we are having trouble funding the ones we have already legislated. I since have been led to understand that there will be money

available this year to do the planning. Can you tell me what the real fiscal impact of this bill would be for this year?"

Mr. Grimm: "The real fiscal impact is as yet undetermined because this specific proposal changed a section which would negate, nullify and void the aptness in the proposal in the event that there was no specific reference and appropriation provided in the omnibus appropriations bill for the 1985-87 biennium prior to July 1 of this year. Having said that, it is the intent, based upon the recommendations of Governor Gardner, that the initial fiscal impact would be limited to approximately \$51,000 for planning purposes."

Ms. K. Wilson: "And then would it be necessary for us to take further action to do something else?"

Mr. Grimm: "Yes."

Mr. Bond spoke against the bill.

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

#### ROLL CALL

The Clerk called the roll on reconsideration of final passage of Engrossed Second Substitute House Bill No. 1078, and the bill passed the House by the following vote: Yeas, 56; nays, 41; excused, 1.

Voting yea: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Tilly, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 56.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, Lewis, Long, Lundquist, May, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, van Dyke, Van Luven, Vander Sloep, Walker, West, Williams J, Wilson S - 41.

Excused: Representative Williams B - 1.

Engrossed Second Substitute House Bill No. 1078, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. J. King, all bills passed by the House today were ordered immediately transmitted to the Senate.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

#### MESSAGE FROM THE SENATE

March 19, 1985

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3112,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3261,  
 ENGROSSED SENATE BILL NO. 3282,  
 SUBSTITUTE SENATE BILL NO. 3283,  
 SUBSTITUTE SENATE BILL NO. 3305,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3317,  
 ENGROSSED SENATE BILL NO. 3434,  
 SENATE BILL NO. 3436,  
 SENATE BILL NO. 3534,  
 SUBSTITUTE SENATE BILL NO. 3571,  
 SUBSTITUTE SENATE BILL NO. 3590,  
 SENATE BILL NO. 3794,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 4059,  
 SUBSTITUTE SENATE BILL NO. 4107,

ENGROSSED SUBSTITUTE SENATE BILL NO. 4141,  
 ENGROSSED SENATE BILL NO. 4206,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 4209,  
 ENGROSSED SENATE BILL NO. 4259,  
 ENGROSSED SENATE BILL NO. 4288,  
 SUBSTITUTE SENATE BILL NO. 4308,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 4315,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 4320,  
 SUBSTITUTE SENATE BILL NO. 4361,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

### THIRD READING

SUBSTITUTE HOUSE BILL NO. 1107, by Committee on Transportation (originally sponsored by Representatives Long, Armstrong, Walk, Betzoff, Brough, Tilly, Holland, Tanner, Silver, Schmidt, Wineberry, Taylor, Patrick, Cole, Walker, Sanders and May)

Requiring a valid driver's license for issuance of a vehicle license.

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

Representatives Long and Armstrong spoke in favor of passage of the bill.

### POINT OF INQUIRY

Mr. Armstrong yielded to question by Mr. Zellinsky.

Mr. Zellinsky: "Representative Armstrong, if a person chose to license his car under these circumstances, would he have to transfer this into his wife's name or a friend's name and lose the ownership of his car if he had to use his car to get to work? How would that work? If a single person should happen to have a DWI (which is quite common) and he happened to have a neighbor who was going to drive him back and forth to work and this is the only car, would this neighbor have to take possession of his car before he could license his car so they could use it?"

Mr. Armstrong: "No, Representative Zellinsky, title to the automobile would not be affected in any case. The only thing that would occur is that the friend whom he wished to have drive him to work would be the person who would become the registered owner, not the legal owner of the automobile."

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1107, and the bill passed the House by the following vote: Yeas, 94; nays, 3; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealley, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representatives Belcher, Kremen, Nutley - 3.

Excused: Representative Williams B - 1.

Substitute House Bill No. 1107, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 357, by Representatives Brekke, Lewis, Braddock, Brooks, Armstrong and Day; by Department of Social and Health Services request

Establishing procedures for the disclosure by state agencies of personal records for research purposes.

The Speaker stated the question before the House to be final passage upon reconsideration.



Representative Brekke spoke in favor of passage of the bill and Representatives Padden, Locke and Dobbs spoke against it.

Ms. Brekke spoke again in favor of the bill.

#### ROLL CALL

The Clerk called the roll on reconsideration of final passage of House Bill No. 357, and the bill passed the House by the following vote: Yeas, 50; nays, 47; excused, 1.

Voting yea: Representatives Appelwick, Armstrong, Barnes, Basich, Baugher, Belcher, Braddock, Brekke, Brough, Cole, Crane, Day, Dellwo, Fisch, Gallagher, Grimm, Hine, Jacobsen, King J. King P. King R. Kremen, Leonard, Lewis, Lux, Madsen, McMullen, Miller, Nelson D. Nutley, O'Brien, Patrick, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Tilly, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K. Winsley, and Mr. Speaker - 50.

Voting nay: Representatives Addison, Allen, Ballard, Barrett, Betrozoff, Bond, Bristow, Brooks, Chandler, Dobbs, Doty, Ebersole, Fisher, Fuhrman, Hankins, Hargrove, Hastings, Haugen, Holland, Isaacson, Locke, Long, Lundquist, May, Nealey, Nelson G. Niemi, Padden, Peery, Prince, Sanders, Schmidt, Schoon, Silver, Smith C. Smith L. Taylor, Thomas, van Dyke, Van Luvan, Vander Stoep, Walker, West, Williams J. Wilson S. Wineberry, Zellinsky - 47.

Excused: Representative Williams B - 1.

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

#### MOTION

On motion of Mr. J. King, House Bill No. 357 was ordered immediately transmitted to the Senate.

There being no objection, the House reverted to the sixth order of business.

#### SECOND READING

HOUSE BILL NO. 470, by Representatives Brekke, Leonard, Ballard, Lux, Armstrong, Sayan, Braddock, Tanner and Taylor

Providing for the registration and certification of mental health professionals.

The bill was read the second time. On motion of Mr. Bristow, Substitute House Bill No. 470 was substituted for House Bill No. 470, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 470 was read the second time.

Mr. Barrett moved adoption of the following amendments:

On page 1, beginning on line 17 strike "and hypnotherapists"

On page 2, beginning on line 19 strike "or hypnotherapy"

On page 2, line 20 strike "or hypnotherapist"

On page 3, line 1 strike ", group counseling, or hypnotherapy" and insert "or group counseling"

On page 3, line 12 strike ", including for the purposes of this chapter, hypnotherapists"

On page 3, after line 15 strike all the material down to and including "conditioning." on line 30

On page 4, line 10 strike "or hypnotherapy"

On page 4, line 17 strike "or hypnotherapy"

On page 4, line 20 strike "or hypnotherapy"

On page 4, line 22 strike "or hypnotherapy"

On page 6, line 8 after "RCW." strike all the material down to and including "practice." on line 10.

Mr. Barrett spoke in favor of the amendments, and Ms. Brekke spoke against them.

Mr. Barrett spoke again in favor of the amendments, and Mr. Tanner opposed them.

The amendments were not adopted.

Mr. Wang moved adoption of the following amendments by Representatives Wang, Padden and Ballard:

On page 1, after line 23 strike all material through "competency." on page 2, line 4.

On page 2, line 13 strike "or certified"

On page 2, line 18 strike "or certified"

On page 2, after line 26 strike all material through "act." on line 34.

Renumber the remaining subsections accordingly.

On page 3, line 34 strike "certified."

On page 4, line 33 strike "certification."

On page 5, after line 8 strike all material through "certification." on line 22.

On page 5, line 24 strike "certification and"

On page 5, line 25 strike "certified practitioners and"

On page 6, line 28 strike "or certified"

On page 6, line 29 strike "or certification"

On page 7, line 4 strike "certified"

On page 7, line 9 strike "or certified"

On page 7, line 13 strike "or certification"

On page 7, line 17 strike "or certified"

On page 7, line 18 strike "or certified"

On page 8, line 5 strike "or certified"

On page 8, line 11 strike "or certified"

On page 8, line 18 strike "or certified"

On page 8, line 27 strike "or certified"

On page 8, line 31 strike "or certified"

On page 8, line 32 strike "or certified"

On page 9, line 1 strike "or certified"

On page 9, after line 4 strike all material through "purposes." on page 18, line 5.

Renumber the remaining sections consecutively.

On page 19, line 17 after "counselors" strike all material through "act)" on line 20

On page 21, line 9 after "counselors" strike all material to "under" and insert "registered"

On page 22, line 26 after "nurse," strike all language through line 27 and insert "social worker"

Mr. Wang spoke in favor of the amendments, and Representatives Dellwo and Brooks spoke against them.

Mr. Crane demanded the previous question and the demand was sustained.

The amendments were not adopted.

Mr. G. Nelson moved adoption of the following amendment:

On page 5, line 8 after "practice" insert "for certification"

Representatives G. Nelson and Brekke spoke in favor of the amendment, and it was adopted.

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

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

#### POINT OF INQUIRY

Ms. Brekke yielded to question by Mr. Vekich.

Mr. Vekich: "Representative Brekke, according to the definition of this bill, would people like fortune tellers, mind readers, palm readers be included in this bill under the definition? I thought if they weren't maybe it ought to be said on the floor of the House."

Ms. Brekke: "The definition of this bill says 'counseling for a fee.' Those who purport to be and who use, as their prime product, counseling, and charge a fee for that service. The Department of Licensing will set up parameters."

Mr. Vekich: "Is that a yes?"

Ms. Brekke: "It certainly could be."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 470, and the bill passed the House by the following vote: Yeas, 78; nays, 19; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Braddock, Brekke, Brooks, Brough, Cole, Crane, Day, Dellwo,

Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walker, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 78.

Vote: Representatives Betzoff, Bond, Bristow, Chandler, Dobbs, Fuhrman, Hargrove, Hastings, Kremen, Nealey, Padden, Prince, Sanders, Smith L, van Dyke, Walk, Wang, West, Williams J - 19.

Excused: Representative Williams B - 1.

Engrossed Substitute 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.

HOUSE BILL NO. 315, by Representatives B. Williams, Belcher, Schoon, Hankins, Lewis, G. Nelson, Fuhrman, Dobbs, L. Smith, van Dyke, May, Lundquist, Schmidt, Doty, Walker, Van Luven, Silver, S. Wilson, Tilly, J. Williams, Thomas, Ballard, Chandler, Isaacson and Padden

Establishing criteria for the creation of new state agencies.

The bill was read the second time.

Ms. Hankins moved adoption of the following amendment by Representatives B. Williams and Belcher:

Strike everything after the enacting clause and insert the following:

\*NEW SECTION. Sec. 1. The legislature finds that needs for state government services are continually changing and that the functions and organization must change to adequately meet those needs. Often these emerging needs are addressed by creating new state agencies to provide new services.

The purpose of section 2 of this act is to establish guidelines, standards, and criteria for the review of proposals to create new agencies.

NEW SECTION. Sec. 2. A new section is added to chapter 44.28 RCW to read as follows:

(1) Except as provided under subsection (3) of this section, no new agency, board, or commission shall be created unless the legislative budget committee has analyzed and reported on the proposal under the guidelines, standards, and criteria listed in subsection (2) of this section.

(2) (a) Proposals introduced on or before the fifteenth day of the legislative session shall be analyzed by the legislative budget committee and its findings shall be submitted in a report to the speaker of the house of representatives and the president of the senate no later than the thirtieth day of the same legislative session.

(b) Proposals introduced after the fifteenth day of the legislative session shall be analyzed by the legislative budget committee and its findings shall be submitted in a report to the speaker of the house of representatives and the president of the senate no later than the first day of the next regular legislative session.

(c) In analyzing a proposal to create a new state agency, board, or commission, the legislative budget committee shall consider, but not be limited to, the following standards and criteria:

(i) The extent to which the proposal contains a clear statement of legislative intent and policies and programs to be carried out by the new agency;

(ii) The extent to which the proposal establishes clear limits of authority from the governor to the proposed new agency;

(iii) The long-term cost savings or additional costs expected to result from creation of the new agency;

(iv) The long-term projected size of the agency; and

(v) The extent to which the functions to be performed by the proposed agency could be performed by an existing agency. This shall include an analysis of services to be provided and clientele served.

(3) This section does not apply to a proposal that the legislative budget committee fails to analyze or report on by the dates specified under subsection (2) (a) and (b) of this section."

Representatives Hankins and Belcher spoke in favor of the amendment, and it was adopted.

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

HOUSE JOINT MEMORIAL NO. 24, by Representatives Belcher, Allen, Unsoeld, D. Nelson, Brooks, Wang, Cole, Todd, Lewis, Lux, Niemi, Locke, Jacobsen, Miller and Dellwo

Petitioning Congress to halt deportation of Central American refugees.

The memorial was read the second time. On motion of Ms. Belcher, Substitute House Joint Memorial No. 24 was substituted for House Joint Memorial No. 24, and the substitute memorial was placed on the calendar for second reading.

Substitute House Joint Memorial No. 24 was read the second time and passed to Committee on Rules for third reading.

There being no objection, the House reverted to the fourth order of business.

#### INTRODUCTIONS AND FIRST READING

SSB 3112 by Committee on Energy & Utilities (originally sponsored by Senators Williams, Benitz, Halsan, Stratton, Owen, Kreidler and Bailey)

Revising provisions relating to cogeneration facilities.

Referred to Committee on Energy & Utilities.

ESSB 3261 by Committee on Governmental Operations (originally sponsored by Senators Thompson and Zimmerman)

Modifying the state building code.

Referred to Committee on State Government.

ESB 3282 by Senators Williams and Kreidler

Requiring the director of general administration to give preference to historic properties for use by state agencies.

Referred to Committee on State Government.

SSB 3283 by Committee on Parks & Ecology (originally sponsored by Senator Williams)

Establishing procedures for declaring and preserving historic properties.

Referred to Committee on State Government.

SSB 3305 by Committee on Energy & Utilities (originally sponsored by Senators Williams, Benitz, McManus, Kreidler and Garrett)

Permitting regulation of certain telecommunications companies and services.

Referred to Committee on Energy & Utilities.

ESSB 3317 by Committee on Education (originally sponsored by Senators Fleming, McDermott, Gaspard and Patterson)

Revising the powers and duties of the athletic health care and training council.

Referred to Committee on Education.

ESB 3434 by Senators Halsan, Bottiger, Hansen, Kreidler, McDermott, Peterson, Vognild, Thompson, Talmadge, Williams and DeJarnatt

Requiring disclosure of financial decision-making members of political committees.

Referred to Committee on Constitution, Elections & Ethics.

SB 3436 by Senators Talmadge, Pullen and Rasmussen

Revising provisions relating to ballot titles.

Referred to Committee on Constitution, Elections & Ethics.

SB 3534 by Senators DeJarnatt, Bender and Thompson

Relating to political advertising.

Referred to Committee on Constitution, Elections & Ethics.

SSB 3571 by Committee on Commerce & Labor (originally sponsored by Senators Warnke, Hayner, Vognild, Barr and Garrett)

Modifying provisions relating to wholesalers of cigarettes.

Referred to Committee on Commerce & Labor.

SSB 3590 by Committee on Governmental Operations (originally sponsored by Senators Thompson, Zimmerman, Newhouse, Benitz and Hayner; by Attorney General request)

Prohibiting private benefit due to public employment.

Referred to Committee on State Government.

SB 3794 by Senators Granlund and Bottiger

Permitting schools or institutions of higher education to purchase certain public lands.

Referred to Committee on Higher Education.

ESSB 4059 by Committee on Judiciary (originally sponsored by Senator Talmadge)

Revising provisions relating to juveniles.

Referred to Committee on Judiciary.

SSB 4107 by Committee on Judiciary (originally sponsored by Senators Talmadge, Zimmerman, Moore, Pullen, Kreidler, Williams, McManus and Johnson)

Establishing privileged communications between registered nurses and patients.

Referred to Committee on Social & Health Services.

ESSB 4141 by Committee on Governmental Operations (originally sponsored by Senators Fleming, Bottiger, Hayner and Sellar)

Creating the legislative systems committee.

Referred to Committee on State Government.

ESB 4206 by Senators Gaspard, Hayner and Johnson

Changing certain school bidding procedures.

Referred to Committee on Education.

ESSB 4209 by Committee on Commerce & Labor (originally sponsored by Senators Warnke, Bauer, McManus, Owen and Thompson)

Regulating persons removing or encapsulating asbestos.

Referred to Committee on Commerce & Labor.

ESB 4259 by Senators Fleming, Bender, Talmadge, Wojahn, Goltz, Warnke, Williams, McManus, Vognild and Gaspard

Prohibiting discrimination on the basis of sex in places of public resort, accommodation, assemblage, or amusement.

Referred to Committee on Judiciary.

SB 4288 by Senator Lee

Modifying provisions relating to experience rating of employers for purposes of on the job training programs.

Referred to Committee on Commerce & Labor.

SSB 4308 by Committee on Parks & Ecology (originally sponsored by Senators Kreidler and Zimmerman)

Transferring certain responsibilities from the department of social and health services to the department of ecology.

Referred to Committee on Environmental Affairs.

ESSB 4315 by Committee on Ways & Means (originally sponsored by Senators Halsan and Owen)

Modifying the compensating tax imposed on certain forest land transferred to open space classification.

Referred to Committee on Ways & Means.

ESSB 4320 by Committee on Ways & Means (originally sponsored by Senators McManus, Newhouse, Owen, Conner and Moore)

Establishing procedure for submission by state agencies of capital project proposals.

Referred to Committee on Ways & Means.

SSB 4361 by Committee on Parks & Ecology (originally sponsored by Senator Williams)

Revising provisions relating to the centennial commission.

Referred to Committee on State Government.

#### MOTION

On motion of Mr. J. King, the bills listed on today's calendar under the fourth order of business were considered first reading and referred to the committees designated.

#### REPORTS OF STANDING COMMITTEES

March 20, 1985

SSB 3001 Prime Sponsor, Committee on Governmental Operations: Changing manner of filling port commissioner vacancies. Reported by Committee on Local Government

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 29 after "qualified" insert "at the next district general election occurring sixty or more days after the vacancy has occurred. The person who is elected shall take office immediately after he or she is qualified and shall serve the remainder of the unexpired term. However, if at this next district general election an election would have otherwise been held to elect a person to the position in which a vacancy has occurred, a separate election shall not be held to elect a person to fill the vacancy during the remainder of the unexpired term. The person who is elected at this election for this position shall take office immediately upon being qualified and shall serve for both the remainder of the unexpired term in addition to the full term to which he or she is elected"

Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Allen, Bristow, Brough, Doty, Hine, Isaacson, May, Rayburn, Smitherman, Winsley and Zellinsky.

Absent: Representatives Ebersole and Patrick.

Passed to Committee on Rules for second reading.

March 20, 1985

SB 3028 Prime Sponsor, Senator Williams: Revising procedures for the disposition of archaeological materials from cairns or graves. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 16 after "officer," insert "Whenever a request for permission to remove records or material is received, the state historic preservation officer shall notify the affected Indian tribe or tribes."

Signed by Representatives Belcher, Chair; Peery, Vice Chair; Baugher, Brooks, Fuhrman, Hankins, O'Brien, Sanders, Taylor, van Dyke and Walk.

Absent: Representatives Todd and Vekich.

Passed to Committee on Rules for second reading.

March 25, 1985

SB 3070 Prime Sponsor, Senator Vognild: Revising the record keeping requirements for the county auditor. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Allen, Bristow, Brough, Doty, Hine, May, Rayburn, Smitherman, Winsley and Zellinsky.

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

Absent: Representatives Ebersole and Patrick.

Passed to Committee on Rules for second reading.

March 20, 1985

ESB 3096 Prime Sponsor, Senator Talmadge: Regarding the elections held to fill the vacancies in federal offices. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: Do pass with the following amendments.

On page 5, after line 7 strike all material through "29.54.180;" on line 9.

Renumber the remaining subsections accordingly.

On page 1, line 3 of the title after "repealing" strike "RCW 29.54.180."

Signed by Representatives Fisher, Chair; Leonard, Vice Chair; Barnes, Barrett, Day, Fisch, Madsen, Miller, Nealey, Sommers and Walker.

Passed to Committee on Rules for second reading.

March 20, 1985

SB 3129 Prime Sponsor, Senator Rasmussen: Adding a member to the veterans affairs advisory committee. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Belcher, Chair; Peery, Vice Chair; Baugher, Brooks, Fuhrman, Hankins, O'Brien, Sanders, Taylor, van Dyke and Walk.

Absent: Representatives Todd and Vekich.

Passed to Committee on Rules for second reading.

March 20, 1985

ESB 3189 Prime Sponsor, Senator Thompson: Allowing payroll deductions for political action committees of public employee organizations. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 17 after "political" strike "action"

On page 2, line 19 after "commission" insert "": PROVIDED, That twenty-five or more officers or employees of a single agency or a total of one hundred or more officers or employees of several agencies have authorized such a deduction for payment to the same political committee

Signed by Representatives Fisher, Chair; Leonard, Vice Chair; Day, Fisch, Madsen and Sommers.

MINORITY recommendation: Do not pass. Signed by Representatives Barnes, Miller, Nealey and Walker.

Voting nay: Representatives Barnes, Barrett, Miller, Nealey and Walker.

Passed to Committee on Rules for second reading.

March 20, 1985

SSB 3309 Prime Sponsor, Committee on Governmental Operations: Authorizing county legislative authorities to set certain license fees. Reported by Committee on Local Government

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

\*Sec. 1. Section 36.32.120, chapter 4, Laws of 1963 as last amended by section 3, chapter 226, Laws of 1982 and RCW 36.32.120 are each amended to read as follows:

The legislative authorities of the several counties shall:

(1) Provide for the erection and repairing of court houses, jails, and other necessary public buildings for the use of the county;

(2) Lay out, discontinue, or alter county roads and highways within their respective counties, and do all other necessary acts relating thereto according to law, except within cities and towns which have jurisdiction over the roads within their limits;

(3) License and fix the rates of ferrriage; grant grocery and other licenses authorized by law to be by them granted at fees set by the legislative authorities which shall not exceed the costs of administration and operation of such licensed activities;

(4) Fix the amount of county taxes to be assessed according to the provisions of law, and cause the same to be collected as prescribed by law: PROVIDED, That the legislative authority of a county may permit all moneys, assessments, and taxes belonging to or collected for the use of any county, including any amounts representing estimates for future assessments and taxes, to be deposited by any taxpayer prior to the due date thereof with the treasurer or other legal depository for the benefit of the funds to which they belong to be credited against any future tax or assessment that may be levied or become due from the taxpayer: PROVIDED FURTHER, That the taxpayer, with the concurrence of the county legislative authority, may designate the particular fund against which such prepayment of future tax or assessment shall be credited;

(5) Allow all accounts legally chargeable against the county not otherwise provided for, and audit the accounts of all officers having the care, management, collection, or disbursement of any money belonging to the county or appropriated to its benefit;

(6) Have the care of the county property and the management of the county funds and business and in the name of the county prosecute and defend all actions for and against the county, and such other powers as are or may be conferred by law;

(7) Make and enforce, by appropriate resolutions or ordinances, all such police and sanitary regulations as are not in conflict with state law, and within the unincorporated area of the county may adopt by reference Washington state statutes and recognized codes and/or compilations printed in book form relating to the construction of buildings, the installation of plumbing, the installation of electric wiring, health, or other subjects, and may adopt such codes and/or compilations or portions thereof, together with amendments thereto, or additions thereto: PROVIDED, That except for Washington state statutes, there shall be filed in the county auditor's office one copy of such codes and compilations ten days prior to their adoption by reference, and additional copies may also be filed in library or city offices within the county as deemed necessary by the county legislative authority: PROVIDED FURTHER, That no such regulation, code, compilation, and/or statute shall be effective unless before its adoption, a public hearing has been held thereon by the county legislative authority of which at least ten days' notice has been given. Any violation of such regulations, ordinances, codes, compilations, and/or statutes or resolutions shall constitute a misdemeanor: PROVIDED FURTHER, That violation of a regulation, ordinance, code, compilation, and/or statute relating to traffic including parking, standing, stopping, and pedestrian offenses is a traffic infraction, except that violation of a regulation, ordinance, code, compilation, and/or statute equivalent to those provisions of Title 46 RCW set forth in RCW 46.63.020 remains a misdemeanor. The notice must set out a copy of the proposed regulations; or if a code is adopted by reference the notice shall set forth the full official title and a statement describing the general purpose of such code. The notice shall also include the day, hour, and place of hearing and must be given by publication in the newspaper in which legal notices of the county are printed;

(8) Have power to compound and release in whole or in part any debt due to the county when in their opinion the interest of their county will not be prejudiced thereby, except in cases where they or any of them are personally interested;

(9) Have power to administer oaths or affirmations necessary in the discharge of their duties and commit for contempt any witness refusing to testify before them with the same power as justices of the peace.

Sec. 2. Section 36.53.020, chapter 4, Laws of 1963 and RCW 36.53.020 are each amended to read as follows:

The ~~((board of county commissioners shall))~~ county legislative authority may charge such sum as ~~((appears reasonable— not less than one dollar nor more than one hundred dollars per year—))~~ may be fixed under the authority of RCW 36.32.120(3) for such license, and the person to whom the license is granted shall pay to the appropriate county ((treasurer)) official the tax for one year in advance~~((-taking his receipt therefor; and upon the production of such receipt the county auditor shall issue the license under the seal of his office)).~~

Sec. 3. Section 36.71.020, chapter 4, Laws of 1963 and RCW 36.71.020 are each amended to read as follows:



Every peddler, before commencing business in any county of the state, shall apply in writing and under oath to the appropriate county ((treasurer)) official of the county in which he proposes to operate for a county license. The application must state the names and residences of the owners or parties in whose interest the business is to be conducted (~~and shall state the number of horses and/or vehicles to be used~~). The applicant at the same time shall file a true statement under oath of the quantity and value of the stock of goods, wares, and merchandise that is in the county for sale or to be kept or exposed for sale in the county, make a special deposit of five hundred dollars ((with the county treasurer)), and pay the ((treasurer the) county license fee as ((follows:

(1) Peddler on foot, one hundred dollars.

(2) Peddler with one horse and a wagon, one hundred fifty dollars.

(3) Peddler with two horses and a wagon, two hundred fifty dollars.

(4) Peddler with any other conveyance, three hundred dollars)) may be fixed under the authority of RCW 36.32.120(3).

The appropriate county ((treasurer)) official shall thereupon issue to the applicant a peddler's license, authorizing him to do business in the county for the term of one year from the date thereof. Every county license shall contain a copy of the application therefor, shall not be transferable, and shall not authorize more than one person to sell goods as a peddler, either by agent or clerk, or in any other way than his own proper person.

Sec. 4. Section 36.71.030, chapter 4, Laws of 1963 and RCW 36.71.030 are each amended to read as follows:

The appropriate county ((treasurer)) official of each county shall keep on file all applications for peddlers' licenses that are issued. All files and records (~~of the county treasurer~~) shall be in convenient form and open to public inspection.

Sec. 5. Section 36.71.040, chapter 4, Laws of 1963 and RCW 36.71.040 are each amended to read as follows:

Upon the expiration and return of a county license, the appropriate county ((treasurer)) official shall cancel it, indorse thereon the cancellation, and place it on file. After holding the special deposit of the licensee for a period of ninety days from the date of cancellation, he shall return the deposit or such portion as may remain in his hands after satisfying the claims made against it.

Sec. 6. Section 36.71.050, chapter 4, Laws of 1963 and RCW 36.71.050 are each amended to read as follows:

Each deposit made with the county ((treasurer)) shall be subject to all taxes legally chargeable thereto, to attachment and execution on behalf of the creditors of the licensee whose claims arise in connection with the business done under his license, and the ((treasurer)) county may be held to answer as trustee in any civil action in contract or tort brought against any licensee, and shall pay over, under order of the court or upon execution, such amount of money as the licensee may be chargeable with upon the final determination of the case. Such deposit shall also be subject to the payment of any and all fines and penalties incurred by the licensee through violations of the provisions of RCW 36.71.010, 36.71.020, 36.71.030, 36.71.040 and 36.71.060, which shall be a lien upon the deposit and shall be collected in the manner provided by law.

Sec. 7. Section 36.71.080, chapter 4, Laws of 1963 and RCW 36.71.080 are each amended to read as follows:

The ((board of county commissioners)) county legislative authority may, by its order, direct the ((county auditor)) appropriate county official to issue a license to any person to do any business designated in RCW 36.71.070 for such sum ((not exceeding twenty-five dollars per year as it deems proper and expedient)) as may be fixed under the authority of RCW 36.32.120(3).

Sec. 8. Section 3, chapter 111, Laws of 1923 and RCW 67.12.030 are each amended to read as follows:

The ((board of county commissioners)) county legislative authority of each county ((shall)) may, by a general order, from time to time, fix the fees to be charged for licenses granted ((hereunder, such fees, however, not to be less than twenty-five dollars nor more than two hundred and fifty dollars for an annual dance hall license, nor less than ten dollars nor more than seventy-five dollars for a quarterly license, nor less than one dollar nor more than ten dollars for a license for a single dance)) under RCW 67.12.020 subject to the limitations of RCW 36.32.120(3). The county ((commissioners)) legislative authority may issue a permit without charge for grange, patriotic, fraternal or community dances.

Sec. 9. Section 5, chapter 111, Laws of 1923 and RCW 67.12.050 are each amended to read as follows:

Applications for licenses hereunder shall be filed with the ((clerk of the board of)) appropriate county ((commissioners)) official and be accompanied with ((a receipt showing the payment to the county treasurer of a)) the license fee. After determining to grant a license to the applicant, the ((board)) county legislative authority shall notify the ((county auditor)) appropriate official, who shall issue the license to the applicant. All licenses granted hereunder shall be kept posted in a conspicuous place on the licensed premises.

Sec. 10. Section 1, chapter 112, Laws of 1909 and RCW 67.12.110 are each amended to read as follows:

The ~~((board of county commissioners))~~ county legislative authority of each county in the state of Washington shall have sole and exclusive authority and power to regulate, restrain, license, or prohibit the maintenance or running of pool halls, billiard halls, and bowling alleys outside of the incorporated limits of each incorporated city, town, or village in their respective counties: PROVIDED, That the annual license fee for maintenance or running such pool halls, billiard halls, and bowling alleys shall ~~((in no instance be less than twenty-five dollars nor more than two hundred and fifty dollars))~~ be fixed in accordance with RCW 36.32.120(3), and which ~~((said))~~ license fee shall be paid annually in advance to the appropriate county ~~((treasurer))~~ official: ~~((AND))~~ PROVIDED FURTHER, That nothing herein or elsewhere shall be so construed as to prevent the ~~((boards of county commissioners of the respective counties))~~ county legislative authority from revoking any license at any time prior to the expiration thereof for any cause by such ~~((board of county commissioners))~~ county legislative authority deemed proper. And if said county ~~((commissioners revoke))~~ legislative authority revokes said license ~~((they))~~ it shall refund the unearned portion of such license.

NEW SECTION. Sec. 11. Section 36.49.010, chapter 4, Laws of 1963 and RCW 36.49.010 are each repealed."

On page 1, line 1 of the title, after "Relating to counties;" strike the remainder of the title and insert "amending RCW 36.32.120, 36.53.020, 36.71.020, 36.71.030, 36.71.040, 36.71.050, 36.71.080, 67.12.030, 67.12.050, and 67.12.110; and repealing RCW 36.49.010."

Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Allen, Bristow, Brough, Doty, Isaacson, May, Rayburn, Smitherman, Winsley and Zellinsky.

Absent: Representatives Ebersole, Hine and Patrick.

Passed to Committee on Rules for second reading.

March 25, 1985

SSB 3398 Prime Sponsor, Committee on Governmental Operations: Authorizing the consideration by local government of local excise tax revenues arising from local purchases in awarding purchase contracts. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Allen, Bristow, Brough, Doty, Isaacson, May, Rayburn, Smitherman, Winsley and Zellinsky.

Absent: Representatives Ebersole, Hine and Patrick.

Passed to Committee on Rules for second reading.

#### MOTION

On motion of Mr. J. King, the House adjourned until 9:30 a.m., Thursday, March 21, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk

## SIXTY-SEVENTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Thursday, March 21, 1985.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Judd Blackwell and Richard Williams. Prayer was offered by The Reverend David Shaw, Minister of the First Baptist Church of Olympia.

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

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

## SECOND READING

HOUSE BILL NO. 358, by Representatives Sayan, Betrozoff, Allen, Vekich, Belcher, Nutley, Wang, Miller, Fisch, Winsley, Leonard, Van Luven and Unsoeld

Authorizing employees to inspect their personnel files for irrelevant or erroneous information.

The bill was read the second time. On motion of Ms. Cole, Substitute House Bill No. 358 was substituted for House Bill No. 358, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 358 was read the second time. On motion of Mr. J. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 358, and the bill passed the House by the following vote: Yeas, 71; nays, 22; absent, 5.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Brooks, Brough, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Long, Madsen, May, McMullen, Miller, Nelson D, Niemi, Nutley, O'Brien, Patrick, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Taylor, Thomas, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 71.

Voting nay: Representatives Ballard, Barnes, Barrett, Bond, Chandler, Fuhrman, Hastings, Lundquist, Nealey, Nelson G, Padden, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Tilly, Williams B, Williams J, Wilson S - 22.

Absent: Representatives Betrozoff, Grimm, Locke, Lux, Tanner - 5.

Substitute House 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.

HOUSE BILL NO. 203, by Representatives Patrick, Holland, Leonard, Brough, Schmidt, Crane, Todd, Padden, Lux, Zellinsky, Schoon, Bond, Sanders, Isaacson, May and J. Williams

Limiting the use of county road funds to road purposes after three years.

The bill was read the second time. On motion of Mr. Walk, Substitute House Bill No. 203 was substituted for House Bill No. 203, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 203 was read the second time.

On motion of Ms. Sommers, the following amendment by Representatives Sommers and Patrick was adopted:

On page 1, line 9 after "revenues," insert "The state auditor also shall identify the total expenditures for the county departments of public safety and the source of funds for these expenditures."

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

HOUSE BILL NO. 327, by Representatives Baugher, Patrick, Walk, Schmidt, Rayburn, R. King and Silver; by Washington State Patrol request

Restricting the use of optical strobe light devices to publicly-owned emergency and law enforcement vehicles.

The bill was read the second time.

Mr. Walk moved adoption of the following amendment by Representatives Walk and Ballard:

On page 2, line 5 after "an" strike all material down to and including "owned" on line 6 and insert "emergency vehicle authorized by the Washington state commission on equipment or a publicly-owned law enforcement or emergency vehicle"

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

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.  
The Speaker called the House to order.

#### MOTION

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

#### THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 433, by Committee on Constitution, Elections & Ethics (originally sponsored by Representatives Fisch, Miller, Fisher, Allen, J. King, Winsley, Jacobsen, Barrett, Basich, Betzoff, O'Brien, Doty, Sayan, Lewis, Lux, J. Williams, Appelwick, Silver, Vekich, Ballard, Kremen, Holland, Taylor and Hine)

Submitting establishment of a state presidential preference primary to a vote of the people.

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

Representatives Fisch, Miller and Vekich spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Fisch yielded to question by Mr. Padden.

Mr. Padden: "Representative Fisch, it's my understanding that people of independent persuasions would be allowed to vote in the primary, but their vote wouldn't be counted unless they specifically wanted to vote Republican or Democratic. Could you explain how that works under this bill?"

Mr. Fisch: "Any voter would step up to the election clerk and have a choice. If he wanted to sign the same kind of pledge as he would have signed at precinct conferences, then he would be given a Democratic ballot, then if he would not want to make that kind of pledge, he would be given a ballot with all the names on. A Republican would be given that same ballot. The trick is for the independent who would vote for a Democrat for the presidential nomination, it would be simply a beauty contest; that is to say, it wouldn't trigger any votes for the delegates to the national convention, so he has a choice to make. This feature, which may seem complicated but I don't think it really is, results from the rules of the National Democratic Party. Sometime ago, they threw out Wisconsin delegates because they were elected in an open primary vote. This was written with that specifically in mind so we could avoid that difficulty."

Representatives Padden and D. Nelson spoke against passage of the bill, and Mr. Lewis spoke in favor of it.

## POINT OF INQUIRY

Mr. Fisch yielded to question by Mr. Schoon.

Mr. Schoon: "Representative Fisch, can you tell me what percentage of voters we would expect to get out in the presidential primary under this plan?"

Mr. Fisch: "James W. Davies of Western Washington, who published the book, 'Presidential Primaries,' back in 1980 has said that at a minimum you would get forty percent of the people out. Recently, from the statistics from this last election, we think it would be fifty-five or sixty percent. Although you didn't ask, you might be interested also to know that the caucus convention system draws only six percent of the vote of the registered voters--six percent this time with all that excitement and all those visitors."

Representatives Schoon, Lux, Walker, Basich and Taylor spoke in favor of passage of the bill, and Representatives Barnes, Nealey, Hastings, Isaacson and van Dyke opposed it.

Mr. Crane demanded the previous question and the demand was sustained.

Mr. Fisch closed debate, speaking again in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 433, and the bill passed the House by the following vote: Yeas, 57; nays, 41.

Voting yea: Representatives Allen, Barrett, Basich, Baugher, Belcher, Braddock, Bristow, Brooks, Brough, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, McMullen, Miller, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Schoon, Scott, Smitherman, Sommers, Sutherland, Taylor, Thomas, Tilly, Todd, Valle, Vander Stoep, Walker, Wang, Wilson K, Winsley, Zellinsky - 57.

Voting nay: Representatives Addison, Appelwick, Armstrong, Ballard, Barnes, Betrozoff, Bond, Brække, Chandler, Cole, Dobbs, Fuhrman, Hastings, Isaacson, Long, Lundquist, Madsen, May, Nealey, Nelson D, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Silver, Smith C, Smith L, Tanner, Unsoeld, van Dyke, Van Luven, Vekich, Walk, West, Williams B, Williams J, Wilson S, Wineberry, and Mr. Speaker - 41.

Engrossed Substitute House Bill No. 433, having received the 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. 493, by Committee on State Government (originally sponsored by Representatives Valle, Todd, Jacobsen, Leonard, Barnes, Ebersole, Cole, Rust, Crane, Appelwick, Braddock, D. Nelson and Miller)

Establishing a seismic safety commission.

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

Representatives Valle and Fuhrman spoke in favor of passage of the bill.

## POINT OF INQUIRY

Ms. Valle yielded to question by Ms. Hankins.

Ms. Hankins: "Representative Valle, in your comments you said that there would be a commission and the members of that commission would be doing some traveling. Would you explain where they are going to travel and what the expense of that would be?"

Ms. Valle: "Representative Hankins, they would be traveling here to Olympia because they report their findings to the Office of Emergency Management. They are to meet at that particular agency, so their travels would be to Olympia."

Ms. Hankins: "What do you envision the cost of that to be?"

Ms. Valle: "It depends upon the appointments, whether they are from eastern Washington, Spokane, western Washington, Seattle or Bellingham."

Representatives Hankins and Belcher spoke in favor of the bill, and Representatives S. Wilson, J. Williams, van Dyke, C. Smith, Brooks and Isaacson spoke against it.

Mr. Fisch demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 493, and the bill passed the House by the following vote: Yeas, 62; nays, 36.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Belcher, Braddock, Brekke, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Lux, Madsen, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Vander Stoep, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, and Mr. Speaker - 62.

Voting nay: Representatives Ballard, Barrett, Basich, Baugher, Betrozoff, Bond, Bristow, Brooks, Brough, Chandler, Dobbs, Doty, Hastings, Haugen, Holland, Isaacson, Locke, Long, Lundquist, May, Padden, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, van Dyke, Van Luven, Walker, West, Williams B, Williams J, Wilson S, Zellinsky - 36.

Substitute House Bill No. 493, having received the 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 Ms. Hine, Substitute House Bill No. 358, Engrossed Substitute House Bill No. 433 and Substitute House Bill No. 493 were ordered immediately transmitted to the Senate.

SUBSTITUTE HOUSE BILL NO. 112, by Committee on Judiciary (originally sponsored by Representatives Brekke, Patrick, Wang, Holland, D. Nelson, J. Williams, P. King, Lewis, Locke, Dellwo, Vekich, S. Wilson, Fisch, Tanner and Crane)

Authorizing petitions to the courts for disclosure of identity of adoptees and parents.

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

Representatives Brekke and Patrick spoke in favor of passage of the bill and Mr. Armstrong spoke against it.

#### POINT OF INQUIRY

Ms. Brekke yielded to question by Ms. Walker.

Ms. Walker: "Representative Brekke, the age of majority in the state of Washington is constitutionally eighteen. There are some provisions in this bill that limit the rights to certain adults who are over eighteen -- one is twenty-one and one is twenty-five. Is that constitutional?"

Ms. Brekke: "Yes, Representative Walker, the courts allow the legislature to make reasonable classifications among persons of different circumstances, even when all of the persons share a common circumstance, such as having achieved the age of majority."

Representatives Dellwo, S. Wilson and Schoon spoke in favor of passage of the bill, and Mr. Padden spoke against it.

Mr. Crane demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 112, and the bill passed the House by the following vote: Yeas, 71; nays, 27.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Basich, Baugher, Belcher, Betrozoff, Braddock, Brekke, Brough, Chandler, Cole, Crane, Day, Dellwo, Doty, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Holland, Jacobsen, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, Miller, Nelson D, Nelson G, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Todd, Valle, van Dyke, Van Luven, Vander

Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Zellinsky - 71.

Voting nay: Representatives Appelwick, Armstrong, Barrett, Bond, Bristow, Brooks, Dobbs, Ebersole, Fuhrman, Hastings, Haugen, Hine, Isaacson, King J, McMullen, Nealey, Niemi, Nutley, Padden, Scott, Smith C, Tilly, Unsoeld, Walker, West, Winsley, and Mr. Speaker - 27.

Substitute 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.

There being no objection, the House reverted to the sixth order of business.

#### SECOND READING

HOUSE BILL NO. 327, by Representatives Baugher, Patrick, Walk, Schmidt, Rayburn, R. King and Silver; by Washington State Patrol request

Restricting the use of optical strobe light devices to publicly-owned emergency and law enforcement vehicles.

The House resumed consideration of the bill on second reading.

Mr. Prince moved adoption of the following amendment by Representatives Prince, Armstrong and Baugher:

On page 2, after line 12 insert the following:

\*Sec. 2. Section 1, chapter 72, Laws of 1983 as amended by section 1, chapter 62, Laws of 1984 and RCW 46.16.275 are each amended to read as follows:

On January 1, 1984, the department of licensing shall implement a system for recording the date of issuance of all vehicle license number plates.

Any person applying for an original or renewal vehicle license after January 1, 1989, shall be required to purchase new or replacement vehicle license number plates before obtaining a new certificate of title or new registration for the vehicle if the vehicle license number plates are five years old or older.

Any person applying for a renewal vehicle license after January 1, 1985, shall be required to purchase replacement vehicle license number plates if the vehicle license number plates were issued on or before January 1, 1968. Upon replacement of the pre-1968 plates, the unreflectorized plates may be retained by the owner of the vehicle when the vehicle is considered by the owner to be a collector's item. The owner shall sign an affidavit stating that the retained plates will not be used on the vehicle until the vehicle qualifies and is registered as a restored vehicle under RCW 46.16.315. Otherwise, the provisions of this section shall not apply to a vehicle owned and operated primarily as a collector's item pursuant to RCW 46.16.310, 46.16.311, or 46.16.315.

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

Representatives Prince, Walk, Baugher and Hastings spoke in favor of the amendment.

Mr. Vander Stoep moved that the remarks by Representative Hastings be spread upon the Journal.

Mr. Hastings spoke in favor of the motion, and Representatives Padden and Barrett spoke against it.

Mr. J. King demanded the previous question and a division was called.

#### ROLL CALL

The Clerk called the roll on the demand for the previous question to end debate, and the demand failed to receive the required two-thirds majority vote by the following vote: Yeas, 53; nays, 45.

Voting yea: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 53.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt,

Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 45.

The Speaker stated the question before the House to be the motion by Representative Vander Stoep that Representative Hastings' remarks be spread upon the Journal.

Representatives Addison and Chandler spoke in favor of the motion, and Representatives Ballard and Van Luven opposed it.

Mr. J. King demanded the previous question and the demand was not sustained.

Ms. Schmidt spoke against the motion, and Ms. Walker spoke in favor of it.

Mr. Barrett demanded the previous question and the demand was sustained.

The motion was lost.

The amendment by Representative Prince and others was adopted.

Mr. Fuhrman moved adoption of the following amendment:  
On page 2, line 5 after "vehicle" strike "that is publicly owned"

Mr. Fuhrman spoke in favor of the amendment, and Mr. Walk spoke against it.

The amendment was not adopted.

On motion of Mr. Prince, the following amendment to the title of the bill was adopted:

In line 1 of the title after "vehicles;" strike the remainder of the title and insert "amending RCW 46.37.190 and 46.16.275; and declaring an emergency."

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

Representatives Baugher and Prince spoke in favor of passage of the bill, and Mr. Van Luven spoke against it.

#### POINT OF INQUIRY

Mr. Schoon asked Mr. Baugher to yield to question, and Mr. Baugher refused to yield.

Mr. Schoon opposed passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 327, and the bill passed the House by the following vote: Yeas, 96; nays, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Todd, Unsoeld, Valle, van Dyke, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representatives Schoon, Van Luven - 2.

Engrossed House 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.

HOUSE BILL NO. 610, by Representatives Brekke and B. Williams

Modifying provisions relating to the board of health.

The bill was read the second time. Committee on Social & Health Services recommendation: Majority, do pass as amended. (For amendments, see Journal, 38th Day, February 20, 1985.)



On motion of Ms. Brekke, the committee amendment to page 1, line 23 was adopted.

Ms. Brekke moved adoption of the committee amendment to page 12.

Ms. Brekke spoke against the committee amendment, and Mr. Ballard spoke in favor of it.

A division was called.

#### ROLL CALL

The Clerk called the roll on adoption of the committee amendment to page 12 of House Bill No. 610, and the amendment was not adopted by the following vote: Yeas, 48; nays, 50.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Braddock, Bristow, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hargrove, Hastings, Holland, Isaacson, Kremen, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walk, Walker, West, Williams J, Wilson S, Winsley, Zellinsky - 48.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Brekke, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Haugen, Hine, Jacobsen, King J, King P, King R, Leonard, Lewis, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Schoon, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Wang, Williams B, Wilson K, Wineberry, and Mr. Speaker - 50.

#### MOTION FOR RECONSIDERATION

Mr. Lewis moved that the House immediately reconsider the vote by which the committee amendment to page 12 of House Bill No. 610 was not adopted.

#### ROLL CALL

The Clerk called the roll on the motion to reconsider the vote by which the committee amendment to page 12 of House Bill No. 610 lost, and the motion was not carried by the following vote: Yeas, 47; nays, 51.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Braddock, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hargrove, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams J, Wilson S, Winsley, Zellinsky - 47.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Williams B, Wilson K, Wineberry, and Mr. Speaker - 51.

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

Representatives Brekke and Lewis spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 610, and the bill passed the House by the following vote: Yeas, 97; nays, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Voting nay: Representative Lundquist - 1.

Engrossed House Bill No. 610, having received the 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. 1269, by Representative Haugen

Relating to local government.

The bill was read the second time. On motion of Ms. Nutley, Substitute House Bill No. 1269 was substituted for House Bill No. 1269, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1269 was read the second time.

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

On page 2, line 28 after "services" insert "; AND PROVIDED FURTHER, That if a county proposes to impose tax levies under this section, no other ballot proposition authorizing tax levies under this section by another taxing district in the county may be placed before the voters at the same election at which the county ballot proposition is placed."

On page 2, beginning on line 29 strike all of subsection (5) and renumber the following subsections accordingly."

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

Representatives Hine and Barnes spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1269, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Waik, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Engrossed Substitute House Bill No. 1269, having received the 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. 767, by Representatives P. King, Padden, Appelwick, Lewis, Dellwo, West, Schmidt, Crane, Wang, G. Nelson, Niemi and Day

Revising laws on criminal profiteering.

The bill was read the second time. On motion of Mr. Armstrong, Substitute House Bill No. 767 was substituted for House Bill No. 767, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 767 was read the second time.

Mr. Van Luven moved adoption of the following amendment by Representatives Van Luven and Armstrong:

On page 1, following line 11 insert a new section as follows:

"NEW SECTION. Sec. 1. There is hereby added to chapter 270, Laws of 1984 and chapter 9A.82 RCW a new section as follows:

This act shall be known as the criminal profiteering act."

Renumber the remaining sections consecutively.

Representatives Van Luven and Armstrong spoke in favor of the amendment, and it was adopted.

On motion of Mr. Van Luven, the following amendment to the title of the bill was adopted:

On page 1, line 9 of the title before "prescribing" insert "adding a new section to chapter 9A.82 RCW;"

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

Representatives Armstrong, Padden, Crane and P. King spoke in favor of passage of the bill, and Mr. West spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 767, and the bill passed the House by the following vote: Yeas, 92; nays, 6.

Voting yea: Representatives Addison, Allen, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 92.

Voting nay: Representatives Appelwick, Bond, Fuhrman, Tilly, Wang, West - 6.

Engrossed Substitute House Bill No. 767, having received the 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. 1129, by Representatives O'Brien, G. Nelson and May

Involving office building and hotel owners and operators in the establishment of business improvement areas.

The bill was read the second time. On motion of Ms. Nutley, Substitute House Bill No. 1129 was substituted for House Bill No. 1129, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1129 was read the second time. On motion of Mr. J. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. O'Brien spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1129, and the bill passed the House by the following vote: Yeas, 96; absent, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Holland, Isaacson, Jacobsen, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Absent: Representatives Hine, King J - 2.

Substitute House Bill No. 1129, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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

HOUSE BILL NO. 1044, by Representatives Rayburn, Doty, Baugher, Hastings, Day, Dellwo, Isaacson, Chandler, Brooks and Tilly

Requiring plats in irrigation districts to provide for irrigation before approval.

The bill was read the second time. On motion of Mr. Dellwo, Substitute House Bill No. 1044 was substituted for House Bill No. 1044, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1044 was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Rayburn, Doty and Chandler spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1044, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 1044, having received the 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. 753, by Representatives Van Luven, Smitherman, Bristow, May, Ebersole, Isaacson, Sanders, Allen, Sutherland, Doty, Thomas, J. Williams, Bond and Long

Authorizing rental deposits to be used as security for payment of utility bills.

The bill was read the second time.

Ms. Hine moved adoption of the following amendment by Representatives Hine, Baugher and Van Luven:

On page 1, line 11 after "utilities," insert "If a tenant is unable to pay his or her utility bill without the return by the landlord of the tenant's moneys paid in advance of occupancy as deposit or security for performance by the tenant, the landlord may pay the tenant's utility bill or portions thereof with the tenant's deposit or security for performance."

Ms. Hine spoke in favor of the amendment.

#### POINT OF INQUIRY

Ms. Hine yielded to question by Mr. Isaacson.

Mr. Isaacson: "Representative Hine, is it your intent that this would only go into effect if the tenant would vacate the premises?"

Ms. Hine: "Yes, Representative Isaacson, that would probably be the only time that the money would be subject to being returned anyway."

Mr. Isaacson spoke in favor of the amendment, and it was adopted.

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

Representatives Van Luven and G. Nelson spoke in favor of passage of the bill, and Mr. Armstrong spoke against it.

#### POINT OF INQUIRY

Mr. Sanders yielded to question by Mr. Lux.

Mr. Lux: "Representative Sanders, who has first lien on that deposit? If I, as a landlord, have an excessive amount of damage -- holes in the doors, mirrors and windows broken, fixtures pulled off the walls -- do I get first attachment on that or does the power company have equal rights to that deposit?"

Mr. Sanders: "Being a landlord, since that deposit is in my possession, I would say, that I, as a landlord, have first rights to that deposit."

Mr. Isaacson spoke in favor of the bill, and Mr. D. Nelson opposed it.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 753, and the bill passed the House by the following vote: Yeas, 71; nays, 27.

Voting yea: Representatives Addison, Allen, Appelwick, Ballard, Barnes, Barrett, Betrozoff, Bond, Braddock, Bristow, Brooks, Brough, Chandler, Crane, Day, Dobbs, Doty, Ebersole, Fisch, Fuhrman, Grimm, Hankins, Hargrove, Hastings, Haugen, Holland, Isaacson, Jacobsen, King P, King R, Kremen, Lewis, Long, Lundquist, Madsen, May, Miller, Nealey, Nelson G, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Sanders, Sayan, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Sutherland, Tanner, Taylor, Thomas, Tilly, Valle, van Dyke, Van Luven, Vander Stoep, Walk, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky - 71.

Voting nay: Representatives Armstrong, Basich, Baugher, Belcher, Brække, Cole, Dellwo, Fisher, Gallagher, Hine, King J, Leonard, Locke, Lux, McMullen, Nelson D, Niemi, Rayburn, Rust, Scott, Sommers, Todd, Unsoeld, Vekich, Wang, Wineberry, and Mr. Speaker - 27.

Engrossed House Bill No. 753, having received the 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. 253, by Representatives Fisch and Hargrove

Revising authority of code cities to annex unincorporated areas.

The bill was read the second time. On motion of Ms. Haugen, Substitute House Bill No. 253 was substituted for House Bill No. 253, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 253 was read the second time.

Mr. Isaacson moved adoption of the following amendment by Representatives Isaacson and Fisch:

On page 1, line 16 after "annexation," insert "Whenever a code city proposes to annex territory under this section, the city shall provide written notice of the proposed annexation to the legislative authority of the county within which such territory is located. The notice shall be provided at least thirty days before the city proposes to adopt the annexation ordinance. The city shall not adopt the annexation ordinance, and the annexation shall not occur under this section, if within twenty-five days of receipt of the notice, the county legislative authority adopts a resolution opposing the annexation, which resolution makes a finding that the proposed annexation will have an adverse fiscal impact on the county or road district."

Representatives Isaacson and Fisch spoke in favor of the amendment, and it was adopted.

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

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

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 253, and the bill passed the House by the following vote: Yeas, 96; nays, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brække, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representatives Schmidt, West - 2.

Engrossed Substitute House 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.

HOUSE BILL NO. 179, by Representatives Belcher, Lundquist, Bristow, Smitherman, Allen, Baugher, Lewis, Fisher, Locke, Unsoeld, Dellwo, Wang, Walker, Sayan, Jacobsen, P. King, Winsley, Sanders, May and Hankins

Requiring a migratory waterfowl stamp to hunt migratory waterfowl.

The bill was read the second time. On motion of Mr. Sutherland, Substitute House Bill No. 179 was substituted for House Bill No. 179, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 179 was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Belcher, Todd and van Dyke spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 179, and the bill passed the House by the following vote: Yeas, 97; nays, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Voting nay: Representative Hargrove - 1.

Substitute House Bill No. 179, having received the 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. 879, by Representatives Armstrong, Dellwo, Patrick and P. King

Revising laws against drunk driving.

The bill was read the second time. On motion of Mr. Armstrong, Second Substitute House Bill No. 879 was substituted for House Bill No. 879, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 879 was read the second time.

On motion of Ms. Niemi, the following amendment by Representatives Niemi, Armstrong and Padden was adopted:

On page 1, line 18 after "shall" strike all language through and including "prosecution" on line 24 and insert "stipulate to the admissibility of the facts as contained in the written police report"

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

On page 2, line 24 after "valid" insert "driver's"

On page 4, line 26 strike "license" and insert "registration"

On page 4, line 29 strike "license" and insert "registration"

On page 4, line 34, strike "license" and insert "registration"

On page 5, line 1, strike "license" and insert "registration"

On page 5, line 3 before "or license" strike "license" and insert "vehicle registration"

On page 5, line 3 after "temporary" strike "license" and insert "registration"

On page 5, line 11, strike "license" and insert "vehicle registration"

On page 5, line 27 after "arrest" strike everything through "destroyed." on line 33 and insert "and the arrested driver is the registered owner of the vehicle he was driving at the time of his arrest, or that in violation of RCW 46.12.101 no transfer of title for the vehicle has been made, then the department shall cancel the registration and license plates of the vehicle. The cancellation shall remain in effect until the arrested driver has been issued a valid driver's license or until another qualified person registers the vehicle. After the cancellation period, upon application and payment of fees and taxes due including fees prescribed in RCW 46.16.270, the department may issue a new vehicle registration and replacement license plates to the arrested driver."

On page 5, line 35 before "shall" and before "may" insert "and license plates"

On page 6, line 4, after "registration" insert "and license plates"

On page 6, line 4 after "section," strike everything through "46.12.020." on line 8 and insert "the department shall notify the registered owner that if he is qualified under RCW 46.12.020 he may, upon application and payment of any fees and taxes due other than fees prescribed in RCW 46.16.270, be issued a new vehicle registration and replacement license plates."

On page 15, after line 33 insert a section as follows:

**\*NEW SECTION, Sec. 16.** Notwithstanding the effective date of section 15, the department of licensing may, with respect to those portions of this 1985 act identified in section 15 that apply to the renewal of motor vehicle registration and license plates, implement this 1985 act so as to affect all registrations and license plates expiring on or after July 1, 1986, even if the department sends notice of renewal before July 1, 1986."

Renumber the remaining section.

Mr. J. Williams moved adoption of the following amendment by Representatives J. Williams and Vekich:

On page 2, line 23 after "license." strike everything through line 24.

Mr. J. Williams spoke in favor of the amendment, and Mr. Armstrong spoke against it.

The amendment was not adopted.

Mr. McMullen moved adoption of the following amendment:

On page 2, line 26 after "individuals" strike "and does not apply to corporations"

Representatives McMullen and Armstrong spoke in favor of the amendment, and it was adopted.

The Clerk read the following amendments by Representatives J. Williams and Vekich:

On page 4, beginning with line 23 strike everything through and including page 9, line 2, renumber the remaining sections consecutively, and correct internal references accordingly.

On page 15, line 31, after "Section 3" strike everything through "8" on line 32

On page 16, line 2, after "this" strike everything through "this" on line 4

With the consent of the House, Mr. J. Williams withdrew the amendments.

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

Mr. Armstrong spoke in favor of the bill, and Representatives Vekich and P. King spoke against it.

#### MOTION

Mr. P. King moved that Engrossed Second Substitute House Bill No. 879 be rereferred to Committee on Ways & Means.

#### SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Representative King, I'm going to rule your motion out of order. You made comments before you made the motion to rerefer the bill to Ways and Means."

Representatives Tilly and May spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 879, and the bill passed the House by the following vote: Yeas, 92; nays, 6.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Valle, van Dyke, Van Loven, Vander Stoep, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker

Voting nay: Representatives Belcher, Fisch, King P, Nutley, Unsoeld, Vekich - 6.

Engrossed Second Substitute House Bill No. 879, having received the 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. 785, by Representatives B. Williams, Schoon and Barnes  
Establishing the legislative oversight committee.

The bill was read the second time. On motion of Ms. Belcher, Substitute House Bill No. 785 was substituted for House Bill No. 785, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 785 was read the second time.

Mr. B. Williams moved adoption of the following amendment by Representatives B. Williams and Belcher:

On page 2, line 28 after "Sec. 5." strike the remainder of the section and insert "The legislative oversight committee shall elect from its membership a chairman and such other officers as it deems appropriate. The initial chairman shall be a member of the house of representatives and shall serve until the end of the 1987 regular session of the legislature. Succeeding chairmen shall alternately be members of the senate and the house of representatives and shall serve two-year terms. The committee may make rules for orderly procedure."

Representatives B. Williams and Belcher spoke in favor of the amendment, and it was adopted.

On motion of Mr. B. Williams, the following amendment by Representatives B. Williams and Belcher was adopted:

On page 8, line 11 beginning with "Whenever" strike everything down to and including "concerned." on line 16.

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

Mr. B. Williams spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 785, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Engrossed Substitute House Bill No. 785, having received the 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. 853, by Representatives Appelwick, Crane and Jacobsen  
Establishing a system of certificates of title for vessels and watercraft.

The bill was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 853, and the bill passed the House by the following vote: Yeas, 94; nays, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough,



Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representatives Hargrove, Sanders, Sutherland, Valle - 4.

House Bill No. 853, having received the 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. 61, by Representatives Dellwo, Lux, Fisch, Hine and Basich

Revising provisions relating to health insurance for public employees.

The bill was read the second time. On motion of Mr. Dellwo, Substitute House Bill No. 61 was substituted for House Bill No. 61, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 61 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1191, by Representatives Brough and Schoon

Providing for equitable distribution of county property to new city.

The bill was read the second time. On motion of Ms. Haugen, Substitute House Bill No. 1191 was substituted for House Bill No. 1191, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1191 was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Brough, Schoon, May and Haugen spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1191, and the bill passed the House by the following vote: Yeas, 95; nays, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representatives Baugher, Rayburn, Winsley - 3.

Substitute House Bill No. 1191, having received the 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. 254, by Representatives Grimm, Walk, Wang and Hargrove

Requiring permits and inspections for the operation of amusement rides.

The bill was read the second time. On motion of Mr. Wang, Substitute House Bill No. 254 was substituted for House Bill No. 254, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 254 was read the second time.

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

On page 2, line 6 after "under" strike "Title 48 RCW" and insert "chapter 48.05 RCW or an insurer providing coverage under chapter 48.15 RCW"

Mr. Vander Stoep moved adoption of the following amendment by Representatives Vander Stoep, Prince, Silver, Schmidt, Hastings, J. Williams, Taylor, Betzoff, Chandler, Patrick, L. Smith, Padden, Walker, Thomas, Brooks, G. Nelson, van Dyke, Dobbs, Lundquist, Holland, Nealey, Fuhrman, Brough, Addison, Ballard and Tilly:

On page 4, after line 13 insert:

"NEW SECTION, Sec. 11. If specific funding for the purposes of this act, referencing this act by bill number, is not provided in the omnibus appropriations act for the fiscal year beginning July 1, 1985, this act shall be null and void."

Mr. Vander Stoep spoke in favor of the amendment, and Mr. Grimm spoke against it.

The amendment was not adopted.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 254, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Summers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Engrossed Substitute House Bill No. 254, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker resumed the Chair.

HOUSE BILL NO. 266, by Representatives Sanders, Haugen, Isaacson, Leonard, J. Williams, Lundquist, Winsley, Van Luven, May and Long.

Revising the eligibility for free fishing licenses.

The bill was read the second time.

Mr. Locke moved adoption of the following amendment by Representatives Locke and Barrett:

On page 1, line 15 after "or" insert ", a person with a development disability as defined in RCW 71.20.016 with documentation of the disability from the department of social and health services, or"

Representatives Barrett and Sanders spoke in favor of the amendment, and it was adopted.

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

Representatives Sanders and Sutherland spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 266, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince,

Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Engrossed House 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.

HOUSE BILL NO. 348, by Representatives Locke, West, Armstrong, P. King and Van Luven

Revising sentencing provisions.

The bill was read the second time. On motion of Mr. Braddock, Second Substitute House Bill No. 348 was substituted for House Bill No. 348, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 348 was read the second time.

On motion of Ms. Niemi, the following amendments by Representatives Niemi, Winsley, Walker, West, L. Smith, Locke, Padden and Armstrong were adopted:

On page 10, line 8 after "served" insert "in a secure facility"

On page 10, line 10 after "Hospital" strike everything down to and including "services" on line 11 and insert "~~((as determined by the secretary of the department of social and health services)).~~ The secretary of the department of corrections shall determine which facilities are secure, and the secretary of the department of social and health services shall determine which secure facility, if any, at western state hospital or eastern state hospital shall be used for confinement"

On motion of Ms. L. Smith, the following amendment by Representatives L. Smith, Locke, Padden, Walker, Winsley and Niemi was adopted:

On page 36, after line 28 insert:

"Sec. 16. Section 3, chapter 104, Laws of 1967 as last amended by section 64, chapter 136, Laws of 1981 and RCW 71.06.091 are each amended to read as follows:

A sexual psychopath committed pursuant to RCW 71.06.060 shall be retained by the superintendent of the institution involved until in the superintendent's opinion he is safe to be at large, or until he has received the maximum benefit of treatment, or is not amenable to treatment, but the superintendent is unable to render an opinion that he is safe to be at large. Thereupon, the superintendent of the institution involved shall so inform whatever court committed the sexual psychopath. ~~((The court then may order such further examination and investigation of such person as seems necessary, and may at its discretion, summon such person before it for further hearing, together with any witnesses whose testimony may be pertinent, and together with any relevant documents and other evidence. On the basis of such reports, investigation, and possible hearing, the court shall determine whether the person before it shall be released unconditionally from custody as a sexual psychopath, released conditionally, returned to the custody of the institution as a sexual psychopath, or transferred to the department of corrections to serve the original sentence imposed upon him. The power of the court to grant conditional release for any such person before it shall be the same as its power to grant, amend and revoke probation as provided by chapter 9.95 RCW.))~~ The court may release such person only if release is the recommendation of the superintendent. The court shall transfer the person to the department of corrections to serve the original sentence imposed upon him if any recommendation or opinion other than release is received from the superintendent. When the sexual psychopath has entered upon the conditional release, the state board of prison terms and paroles shall supervise such person pursuant to the terms and conditions of the conditional release, as set by the court: PROVIDED, That the superintendent of the institution involved shall never release the sexual psychopath from custody without a court release as herein set forth."

On motion of Ms. L. Smith, the following amendment to the title of the bill was adopted:

On page 1, line 1 after "RCW" insert "71.06.091."

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

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

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 348, and the bill passed the House by the following vote: Yeas, 96; absent, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Absent: Representatives Brekke, Walk - 2.

Engrossed Second Substitute 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.

HOUSE BILL NO. 486, by Representatives Valle, Allen and Rust

Funding solid waste management programs.

The bill was read the second time. On motion of Ms. Rust, Substitute House Bill No. 486 was substituted for House Bill No. 486, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 486 was read the second time.

On motion of Ms. Rust, the following amendments were adopted:  
On page 1, line 25 after "This fund" strike "is established" and insert "shall be used"  
On page 1, line 26 after "chapter" insert "and for no other purposes"

Mr. G. Nelson moved adoption of the following amendments:  
On page 2, line 7 after "health" insert "and planning"  
On page 2, line 8 after "RCW 70.95.220" strike "and" and insert a comma  
On page 2, line 8 after "RCW 70.95.230" insert "and 36.70.040."

Mr. G. Nelson spoke in favor of the amendments, and Ms. Rust spoke against them.

The amendments were adopted.

Mr. G. Nelson moved adoption of the following amendment:  
On page 2, after line 25 insert:

"NEW SECTION. Sec. 2. For the purpose of this act, there shall be appropriated from the solid waste management fund 3.1 million dollars or so much as necessary to carry out the intent of this act."

Mr. G. Nelson spoke in favor of the amendment, and Ms. Rust spoke against it.

Mr. G. Nelson spoke again in favor of the amendment, and Mr. Braddock opposed it.

A division was called.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative G. Nelson to Substitute House Bill No. 486, and the amendment was not adopted by the following vote: Yeas, 49; nays, 49.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Baugher, Betzoff, Bond, Brooks, Brough, Chandler, Day, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, Madsen, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley, Zellinsky - 49.

Voting nay: Representatives Appelwick, Armstrong, Basich, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, and Mr. Speaker - 49.

Ms. Rust moved adoption of the following amendment by Representatives Rust, Brough, Allen and Valle:

On page 2, after line 25 insert the following:

**NEW SECTION.** Sec. 2. (1) The legislature finds that:

(a) Waste reduction and waste recycling have been established as the highest management priorities for solid waste under the solid waste management act;

(b) The state environmental policy act declares that it is the responsibility of the state to enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources; and

(c) There is a potential for economic growth and development by establishing additional markets for recyclable materials and incentives for processing recyclable materials.

(2) Therefore, the legislature directs the joint legislative committee on science and technology, in cooperation with the department of ecology, to conduct a study of waste reduction and recycling. The study shall address but not be limited to:

(a) The relationship between waste reduction and recycling activities and energy recovery facilities, including an evaluation of how the relationship would change with increased waste reduction, recycling, or energy recovery activities; and

(b) A compilation of successful waste reduction and recycling programs in other states, and guidelines relating to how such programs could be implemented in this state.

(3) The study shall be available to guide and assist local governments in developing waste reduction and recycling programs, and in preparing solid waste management plans.

(4) The study shall be submitted to the secretary of the senate and the chief clerk of the house of representatives by January 1, 1986.

**NEW SECTION.** Sec. 3. There is appropriated twenty-four thousand dollars to the senate and twenty-four thousand dollars to the house of representatives, or so much thereof as may be necessary, from the general fund for the biennium ending June 30, 1987, for the purposes of this act."

#### POINT OF ORDER

Mr. Barrett: "Mr. Speaker, I would challenge this amendment on the basis of scope and object."

#### SPEAKER'S RULING

The Speaker: "House Bill 486 establishes user fees for solid waste facilities to be used for grants to local governments. The amendment directs the Joint Committee on Science and Technology to conduct a study on waste reduction and recycling. This amendment does expand the scope and object of the bill in violation of House Rule 12(E). Your point is well taken, Representative Barrett."

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

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

#### POINT OF INQUIRY

Ms. Valle yielded to question by Mr. Addison.

Mr. Addison: "Representative Valle, to establish legislative intent, in some cities, for instance in Seattle, if you show your driver's license that you're from within the city limits, you don't pay a charge. I was wondering, are we going to be levying a ten cent charge on someone just bringing their car in to dump some trash?"

Ms. Valle: "Representative Addison, what we will be doing, is we will be taking into account exactly what I had spoken about in the fees. In other words, if you are practicing recycling, if there is energy recovery in that site, then there will be no charge if the user is doing this."

Representatives G. Nelson and Zellinsky spoke against the bill, and Ms. Rust spoke in favor of it.

#### POINT OF INQUIRY

Ms. Valle yielded to question by Mr. Hastings.

Mr. Hastings: "Representative Valle, there has been some talk in the press the last week or so about the governor going back to Michigan to talk to General Motors regarding the possibility of locating their plant here to build a Saturn car.

How would this affect an industry like that? Obviously, there's some waste; how would that affect them no matter where they were to site?"

Ms. Valle: "Representative Hastings, it is my impression that when industry comes into this state, they want to know exactly what is happening as far as the environment is concerned. They want to know what land use planning there is and what educational facilities we have and they want to know the tax structure. In this case, they would know exactly where their garbage can go."

Representative Hastings spoke against the bill, and Representatives Hine, Addison and Allen spoke in favor of it.

Mr. G. Nelson again opposed the bill.

Mr. Crane demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 486, and the bill passed the House by the following vote: Yeas, 54; nays, 44.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Basich, Belcher, Braddock, Brekke, Brough, Cole, Crane, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nelson D, Niemi, Nutley, O'Brien, Patrick, Peery, Rust, Sayan, Schoon, Scott, Smitherman, Sommers, Tanner, Todd, Unsoeld, Valle, Walk, Wang, Wineberry, Winsley - 54.

Voting nay: Representatives Ballard, Barrett, Baugher, Betzoff, Bond, Bristow, Brooks, Chandler, Day, Dobbs, Doty, Fuhrman, Hankins, Hargrove, Hastings, Haugen, Isaacson, Lundquist, Nealey, Nelson G, Padden, Prince, Rayburn, Sanders, Schmidt, Silver, Smith C, Smith L, Sutherland, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Sloep, Vekich, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Zellinsky, and Mr. Speaker - 44.

Engrossed Substitute House Bill No. 486, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker declared the House recessed until 6:15 p.m.

#### EVENING SESSION

The House was called to order at 6:15 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

#### MESSAGE FROM THE SENATE

March 20, 1985

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 3157,  
 ENGROSSED SENATE BILL NO. 3234,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3345,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3346,  
 SUBSTITUTE SENATE BILL NO. 3356,  
 ENGROSSED SENATE BILL NO. 3418,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3478,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3516,  
 ENGROSSED SENATE BILL NO. 3535,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3723,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3775,  
 SENATE BILL NO. 3800,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3911,  
 SUBSTITUTE SENATE BILL NO. 3951,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 4109,  
 SENATE BILL NO. 4110,  
 SUBSTITUTE SENATE BILL NO. 4119,  
 SENATE BILL NO. 4142,  
 SUBSTITUTE SENATE BILL NO. 4358.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4399,  
 SUBSTITUTE SENATE JOINT MEMORIAL NO. 117,  
 SENATE JOINT MEMORIAL NO. 122,  
 SENATE CONCURRENT RESOLUTION NO. 114,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

There being no objection, the House reverted to the fourth order of business.

INTRODUCTIONS AND FIRST READING

ESSB 3157 by Committee on Ways & Means (originally sponsored by Senators Moore, Johnson, Bottiger, McDonald, Thompson, Cantu, Conner, Bluechel and McManus)

Establishing registration fees for watercraft.

Referred to Committee on Ways & Means.

ESB 3234 by Senators Hansen, Barr, Bauer, Bailey, Goltz, Newhouse, Benitz and Patterson

Providing funds for noxious weed control.

Referred to Committee on Agriculture.

ESSB 3345 by Committee on Governmental Operations (originally sponsored by Senators Fleming and McDermott)

Requiring affirmative action plans for certain state contractors.

Referred to Committee on State Government.

ESSB 3346 by Committee on Governmental Operations (originally sponsored by Senators Fleming, McDermott and Wojahn)

Requiring affirmative action programs for in-state employment.

Referred to Committee on State Government.

SSB 3356 by Committee on Transportation (originally sponsored by Senators Peterson, Patterson, Hansen and Conner; by County Road Administration Board request)

Revising county road administrative procedures.

Referred to Committee on Transportation.

ESB 3418 by Senators Peterson, Guess, Bottiger, Benitz, Kreidler, Johnson, Hansen, Talmadge, Vognild, Goltz, Wojahn, Warnke and Conner

Modifying provisions on the retail sale of motor vehicle fuels.

Referred to Committee on Trade & Economic Development.

ESSB 3478 by Committee on Human Services & Corrections (originally sponsored by Senators Kreidler, Kiskaddon and Vognild)

Excluding certain capital expenditures for hospitals from the certificate of need program.

Referred to Committee on Social & Health Services.

ESSB 3516 by Committee on Education (originally sponsored by Senators Bauer, Gaspard, Benitz, Moore, Bender, Rinehart, Lee and Johnson; by Temporary Committee on Educational Policies request)

Providing for instruction in Spanish and Japanese in grades one through six.

Referred to Committee on Education.

ESB 3535 by Senators Wojahn, Johnson, Peterson and Granlund

Changing provisions relating to city taxation of motor vehicle and special fuel.

Referred to Committee on Transportation.

ESSB 3723 by Committee on Ways & Means (originally sponsored by Senator McDermott)

Allowing local hotel/motel tax proceeds to be used for stadium restaurant facilities and additional seating.

Referred to Committee on Ways & Means.

ESSB 3775 by Committee on Financial Institutions (originally sponsored by Senators Deccio, Moore, Metcalf, McCaslin, Bender, Warnke, McDermott, Craswell, Sellar, Newhouse, Vognild, Lee, Johnson, Zimmerman, Saling, Wojahn, Bottiger, Fleming and Bailey)

Modifying provisions on the cancellation or nonrenewal notices for insurance.

Referred to Committee on Financial Institutions & Insurance.

SB 3800 by Senators Granlund, Bailey and Garrett

Establishing uniformity in the publication of certain legal notices.

Referred to Committee on Judiciary.

ESSB 3911 by Committee on Governmental Operations (originally sponsored by Senators Fleming, McDermott, Bailey, Vognild, McManus and Kreidler)

Providing for increased opportunity for affordable housing for low and moderate income persons.

Referred to Committee on Local Government.

SSB 3951 by Committee on Human Services & Corrections (originally sponsored by Senator Peterson)

Providing for a feasibility study of reuse of facilities at Northern State Hospital.

Referred to Committee on Social & Health Services.

ESSB 4109 by Committee on Energy & Utilities (originally sponsored by Senators Moore, Williams and Goltz)

Regulating the interception of telephone communications.

Referred to Committee on Energy & Utilities.

SB 4110 by Senator Talmadge; by Superintendent of Public Instruction request

Authorizing the superintendent of public instruction to contract with the office of administrative hearings.

Referred to Committee on Education.

SSB 4119 by Committee on Agriculture (originally sponsored by Senator Barr)

Modifying provisions relating to weed control.

Referred to Committee on Agriculture.

SB 4142 by Senator Gaspard; by State Board of Education request

Revising laws regulating the organization of school districts.

Referred to Committee on Education.

SSB 4358 by Committee on Commerce & Labor (originally sponsored by Senator Warnke)

Providing for two deputy directors with the department of labor and industries.

Referred to Committee on Commerce & Labor.

ESSB 4399 by Committee on Governmental Operations (originally sponsored by Senators Thompson and Zimmerman)

Creating a local governance study commission

Referred to Committee on Local Government.



SSJM 117 by Committee on Governmental Operations (originally sponsored by Senators McDermott, Williams, Moore, Lee, Kreidler and Talmadge; by 1989 Washington Centennial Commission request)

Requesting the Federal government transfer ownership of the South Lake Union Naval Reserve Base.

Referred to Committee on Local Government.

SJM 122 by Senators Bottiger, McDonald, Bauer, Hayner, Zimmerman, McManus and Vognild

Asking Congress to grant state jurisdiction to regulate fireworks on federal enclaves.

Referred to Committee on Commerce & Labor.

SCR 114 by Senators Warnke, Newhouse, Vognild, Conner, Barr, Lee, Deccio, Cantu and Johnson; by Joint Select Committee on Workers' Compensation request

Establishing the joint select committee on industrial insurance.

Referred to Committee on Commerce & Labor.

#### MOTION

On motion of Mr. J. King, the bills, memorials and the resolution listed on today's calendar under the fourth order of business were considered first reading and referred to the committees designated.

The House advanced to the sixth order of business.

#### SECOND READING

HOUSE BILL NO. 846, by Representatives D. Nelson, Van Luven, Todd, Miller, Braddock, Long, Appelwick, J. Williams, Sanders and Isaacson

Authorizing municipalities to develop electric generation capabilities.

The bill was read the second time. On motion of Mr. D. Nelson, Substitute House Bill No. 846 was substituted for House Bill No. 846, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 846 was read the second time.

Mr. Braddock moved adoption of the following amendment:

On page 1, line 17 beginning with "(b)" strike all material through "served." on line 26.

Representatives Braddock and Isaacson spoke in favor of the amendment, and Mr. D. Nelson spoke against it.

The amendment was adopted.

On motion of Mr. D. Nelson, the following amendment by Representatives D. Nelson and Isaacson was adopted:

On page 3, line 33 after "proposed" insert "by a city or town that does not own or operate an electric utility system"

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

Representatives D. Nelson, Sanders, Van Luven, Miller and Jacobsen spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. D. Nelson yielded to question by Mr. Isaacson.

Mr. Isaacson: "Representative Nelson, would you explain to me and this body what is meant by the term 'byproduct' as it is used in this bill?"

Mr. D. Nelson: "The term 'byproduct' follows the dictionary definition, meaning that any project undertaken pursuant to the terms of this bill will be primarily municipal water supply projects, and only secondarily a hydroelectric project. To

elaborate, the dam and diversions could be sized to provide the maximum water supply envisioned at the end point of the planning horizon of the project. Whatever hydroelectric production could be realized from these facilities then, consistent with other considerations such as minimum flows, would be appropriate.

Mr. Isaacson: "On pages 3 and 4 of this bill is the phrase, 'which may produce electricity for sale in excess of present and future needs of the water system.' Is this new phrase intended only to apply to a combined facility in excess of 5 megawatts or does it also apply to a new project where ownership interest is greater than twenty-five percent?"

Mr. D. Nelson: "The answer is that there are two circumstances in the bill where submission to the voters for a new water supply project combined with an electric generation facility would be required: (a) if an entity has a greater than twenty-five percent ownership interest, regardless of the size of the project, or (b) if the project would produce electricity in excess of 5 megawatts. In both instances any electricity produced by the new project must be intended for sale outside the water system in excess of present and future needs of the water system before a vote is required."

Mr. Isaacson: "But then in both cases, a vote would be required?"

Mr. D. Nelson: "Yes."

Mr. Isaacson spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 846, and the bill passed the House by the following vote: Yeas, 94; nays, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristol, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Hine, Holland, Isaacson, Jacobsen, King J., King P., King R., Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D., Nelson G., Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schoon, Scott, Silver, Smith C., Smith L., Smitherman, Sommers, Sutherland, Tanner, Taylor, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B., Williams J., Wilson K., Wilson S., Wineberry, Winsley, Zöllinsky, and Mr. Speaker - 94.

Voting nay: Representatives Fisch, Haugen, Schmidt, Thomas - 4.

Engrossed Substitute House Bill No. 846, having received the 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. 595, by Representatives Tanner, Leonard, P. King and Long

Adopting community diversion programs and sentencing guidelines for non-violent offenders.

The bill was read the second time. On motion of Mr. Armstrong, Substitute House Bill No. 595 was substituted for House Bill No. 595, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 595 was read the second time.

Mr. Tanner moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The sentencing guidelines commission shall study the feasibility of establishing sentencing guidelines for state misdemeanors and shall recommend mechanisms for implementation. The commission shall consult with district court judges, prosecutors, defense attorneys, and representatives of local government as part of this study. In the study report:

(1) The commission shall comment on the advisability and use of the following sentence conditions: Total confinement, partial confinement, community supervision, community services, fines, and other sentence conditions.

(2) The commission shall comment on the relationship between its recommendations under subsection (1) of this section and correctional facility capacity.

(3) The commission shall also recommend the appropriate body to administer any state misdemeanor sentencing guidelines.

The commission shall submit its report to the legislature by January 10, 1986."

Representatives Tanner and Padden spoke in favor of the amendment, and it was adopted.

On motion of Mr. Tanner, the following amendment to the title of the bill was adopted:

On page 1, strike line 2 of the title and insert "and creating a new section."

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 595, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Engrossed Substitute House Bill No. 595, having received the 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. 134, by Representatives Jacobsen, Long, Unsoeld, Allen, Todd, Niemi, Appelwick, Tilly, Winsley, Tanner, Lux, May and Belcher

Regulating the use of automatic dialing and announcing devices.

The bill was read the second time. Committee on Energy & Utilities recommendation: Majority, do pass with the following amendment:

On page 1, line 22 after "services," strike all material through "party," on page 1, line 24.

On motion of Mr. D. Nelson, the committee amendment was adopted.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 134, and the bill passed the House by the following vote: Yeas, 91; nays, 7.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Vander Stoep, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Bond, King J, Nutley, Peery, Sutherland, Van Luven, West - 7.

Engrossed 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.

HOUSE BILL NO. 178, by Representatives Belcher, Hankins, Unsoeld, Allen, Baugher, Todd, Dellwo, Niemi, Smitherman, Prince, Locke, Peery, O'Brien, Leonard, Wang, K. Wilson, Wineberry, Lewis, Fisher, Sayan, P. King, Isaacson and Basich; by Secretary of State request

Establishing the Washington state internship program.

The bill was read the second time. On motion of Ms. Belcher, Substitute House Bill No. 178 was substituted for House Bill No. 178, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 178 was read the second time. On motion of Mr. J. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Belcher and Hankins spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 178, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Sloep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 178, having received the 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. 204, by Representatives Brekke, B. Williams and Tanner

Changing provisions relating to the board of prison terms and paroles.

The bill was read the second time. On motion of Ms. Brekke, Substitute House Bill No. 204 was substituted for House Bill No. 204, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 204 was read the second time.

Ms. Brekke moved adoption of the following amendment:

On page 1, beginning with "~~(Prior~~" on line 8 strike all the material down to and including "~~serve:))~~" on line 14 and insert "Prior to that time, the board's membership shall be reduced as follows: (a) On July 1, (~~1985~~) 1986, the board shall be reduced to five members. This reduction shall take place by the expiration, on that date, of the two terms having the least time left to serve; (b) On July 1, (~~1986~~) 1987, the board shall be reduced to three members. This reduction shall take place by the expiration, on that date, of the two terms having the least time left to serve."

Representatives Brekke and Padden spoke in favor of the amendment, and it was adopted.

Ms. Niemi moved adoption of the following amendments by Representatives Niemi, Locke, West and Padden:

On page 1, line 17 after "board" strike all language through "1984" on line 18

On page 1, following line 21 strike all language from "(3)" on line 22 through "incarceration." on page 2, line 5.

Renumber the consecutive sections and correct internal references accordingly.

Representatives Niemi, Padden, West, Locke and Ebersole spoke in favor of the amendments, and Representatives Dellwo, B. Williams, Tanner and Brekke spoke against them.

Mr. Crane demanded the previous question and the demand was sustained.

A division was called.

## ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Niemi and others to Substitute House Bill No. 204, and the amendments were adopted by the following vote: Yeas, 79; nays, 19.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Bond, Bristow, Brooks, Chandler, Crane, Day, Dobbs, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, King J, King P, King R, Kremen, Locke, Lundquist, Madsen, May, McMullen, Nealey, Nelson G, Niemi, Nutley, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 79.

Voting nay: Representatives Belcher, Betzoff, Braddock, Brekke, Brough, Cole, Dellwo, Doty, Jacobsen, Leonard, Lewis, Long, Lux, Miller, Nelson D, O'Brien, Schoon, Tanner, Williams B - 19.

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

On page 2, line 8 after "corrections," insert:

"NEW SECTION. Sec. 3. If specific funding for the purposes of this act, referencing this act by bill number, is not provided in the omnibus appropriations act enacted before July 1, 1985, this act shall be null and void."

Renumber the remaining section consecutively and correct any internal references accordingly.

On page 1, line 2 of the title after "RCW 9.95.009;" insert "adding a new section."

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

Representatives Brekke and Lundquist spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 204, and the bill passed the House by the following vote: Yeas, 83; nays, 15.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Belcher, Betzoff, Bond, Brekke, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Hankins, Hargrove, Hastings, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Leonard, Lewis, Locke, Long, Lundquist, Lux, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walker, Wang, Williams B, Williams J, Wilson K, Wineberry, Winsley, and Mr. Speaker - 83.

Voting nay: Representatives Baugher, Braddock, Bristow, Dobbs, Grimm, Haugen, Kremen, Madsen, May, Smitherman, van Dyke, Walk, West, Wilson S, Zellinsky - 15.

Engrossed Substitute House Bill No. 204, having received the 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 D. Nelson and Unsoeld

Mandating the adoption of procedures for decommissioning major energy facilities.

The bill was read the second time. On motion of Mr. D. Nelson, Substitute House Bill No. 339 was substituted for House Bill No. 339, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 339 was read the second time.

On motion of Mr. Isaacson, the following amendment by Representatives Isaacson and D. Nelson was adopted:

On page 4, line 17 after "each" strike "major"

On motion of Mr. D. Nelson, the following amendment by Representatives D. Nelson and Isaacson was adopted:

On page 4, line 28 after "subject" strike "to sections 2 through 5 of this act" and insert "to this chapter"

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

Representatives D. Nelson and Isaacson spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 339, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Engrossed Substitute 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.

HOUSE BILL NO. 390, by Representative Armstrong

Modifying the amount a garnishee is required to hold.

The bill was read the second time. On motion of Mr. J. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 390, and the bill passed the House by the following vote: Yeas, 96; nays, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representatives Isaacson, Sanders - 2.

House Bill No. 390, having received the 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. 593, by Representatives Armstrong, Holland and Tanner

Removing provisions for administrative revocation of drivers' licenses for all alcohol violations and restoring provisions allowing revocation for breathalyzer refusal.

The bill was read the second time. On motion of Mr. J. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 593, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough,

Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

House Bill No. 593, having received the 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. 758, by Representatives Locke, Miller, Armstrong, Nealey, Jacobsen, Patrick, Gallagher, Barnes, Unsoeld, D. Nelson, Isaacson, Todd, Van Luven, Madsen, Addison and Wineberry

Imposing civil liability for the theft of utility services.

The bill was read the second time. Committee on Energy & Utilities recommendation: Majority, do pass as amended. (For amendments, see Journal, 47th Day, March 1, 1985.)

On motion of Mr. D. Nelson, the committee amendments were adopted.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 758, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Engrossed House Bill No. 758, having received the 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. 894, by Representative D. Nelson

Providing for radon detectors.

The bill was read the second time. On motion of Mr. D. Nelson, Substitute House Bill No. 894 was substituted for House Bill No. 894, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 894 was read the second time. On motion of Mr. J. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 894, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen,

Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 894, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.  
The Speaker called the House to order.

The House reverted to the fifth order of business.

#### REPORTS OF STANDING COMMITTEES

March 20, 1985

SB 3144 Prime Sponsor, Senator Garrett: Updating statutory references in the Model Traffic Ordinance. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Wineberry, Vice Chair; Baugher, Betrozoff, Bond, Fisher, Gallagher, Hankins, Kremen, Lundquist, McMullen, Patrick, Prince, Schmidt, C. Smith, Sutherland, Valle, K. Wilson and Zellinsky.

Absent: Representatives Brough, Fisch, Haugen, Sutherland, Tanner, Thomas and Van Luven.

Passed to Committee on Rules for second reading.

March 21, 1985

SB 3576 Prime Sponsor, Senator Hansen: Revising provisions relating to the Lake Osoyoos water project. Reported by Committee on Agriculture

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Baugher, Vice Chair; Bristow, Brooks, Chandler, Doty, Kremen, Madsen, Nealey and Peery.

Absent: Representative Ballard.

Passed to Committee on Rules for second reading.

March 21, 1985

SB 4121 Prime Sponsor, Senator Hansen: Enabling legislation authorizing expenditures by agricultural commodity commissions for agricultural development or trade promotion and promotional hosting. Reported by Committee on Agriculture

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Baugher, Vice Chair; Bristow, Brooks, Chandler, Doty, Kremen, Madsen, Nealey and Peery.

Absent: Representative Ballard.

Passed to Committee on Rules for second reading.

March 21, 1985

SB 4122 Prime Sponsor, Senator Hansen: Modifying requirements for the contents of flour and bread. Reported by Committee on Agriculture

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Baugher, Vice Chair; Bristow, Brooks, Chandler, Doty, Kremen, Madsen, Nealey and Peery.

Absent: Representative Ballard.

Passed to Committee on Rules for second reading.



## SECOND READING

HOUSE BILL NO. 227, by Representatives Lux, Ballard, Jacobsen, Winsley, Leonard, Baugher, Unsoeld, Patrick, Chandler, Rayburn, Braddock, Brough, Lewis, Miller, Van Luven, May, Taylor, D. Nelson and Schoon

Requiring liability insurance or other proof of financial responsibility for operation of a motor vehicle.

The bill was read the second time. On motion of Mr. Lux, Substitute House Bill No. 227 was substituted for House Bill No. 227, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 227 was read the second time. On motion of Mr. J. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

## POINT OF INQUIRY

Mr. Lux yielded to question by Mr. Taylor.

Mr. Taylor: "Representative Lux, if they come and say they have insurance and show it, what's the penalty if then three days later they go down and cancel that insurance?"

Mr. Lux: "Well, Representative Taylor, it's the same thing now as when you go to register to vote and you tell the person down there that you are a citizen of the United States, that you are so old, that you live in such a place and that you are this, that and the other thing, and that turns out to be untrue. That's a misdemeanor the same is here in this case. We're not going to check on these drivers; we're not going to police them, but if you are picked up for any violation whatever, and it turns out you don't have insurance, that's reason to have your license suspended. If you have insurance and you just don't happen to have proof of it, then when you go to court and you can show proof, your license is reinstated. Of course, the other penalties are still in place. If this happens twice in five years it's a gross misdemeanor, and they not only pick up your driver's license, but also your registration of your one automobile or your six automobiles."

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 227, and the bill passed the House by the following vote: Yeas, 95; nays, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representatives Locke, Sanders, Wang - 3.

Substitute House Bill No. 227, having received the 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 Brekke and Armstrong; by Department of Social and Health Services request

Changing provisions relating to certificate of need reviews.

The bill was read the second time. On motion of Ms. Brekke, Substitute House Bill No. 397 was substituted for House Bill No. 397, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 397 was read the second time.

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

On page 1, line 21 after "facility" insert "including the acquisition for on site use of air craft for the transportation of patients to and from the hospital"

Mr. Ballard moved adoption of the following amendment by Representatives Ballard and Appelwick:

On page 2, after line 28 insert:

"(i) If the equipment will be owned by or located in a health care facility; or

(ii) If, after January 1, 1981, the equipment is not to be owned by or located in a health care facility, the department finds consistent with federal regulations the equipment will be used to provide services for hospital inpatients, or the person acquiring such equipment did not notify the department of the intent to acquire such equipment at least thirty days before entering into contractual arrangements for such acquisition"

Representatives Ballard, Padden, Appelwick, Zellinsky, Dobbs and Brooks spoke in favor of the amendment, and Representatives Brekke, J. King and Armstrong spoke against it.

Mr. Ballard spoke again in favor of the amendment, and Ms. Brekke again opposed it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Ballard and Appelwick to Substitute House Bill No. 397, and the amendment was adopted by the following vote: Yeas, 59; nays, 39.

Voting yea: Representatives Addison, Allen, Appelwick, Ballard, Barnes, Barrett, Baugher, Betzoff, Bond, Braddock, Bristow, Brooks, Brough, Chandler, Day, Dobbs, Doty, Ebersole, Fuhrman, Hankins, Hargrove, Hastings, Haugen, Holland, Isaacson, Kremen, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Rayburn, Rust, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Taylor, Thomas, Tilly, Todd, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley, Zellinsky - 59.

Voting nay: Representatives Armstrong, Basich, Belcher, Brekke, Cole, Crane, Dellwo, Fisch, Fisher, Gallagher, Grimm, Hine, Jacobsen, King J, King P, King R, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Sayan, Scott, Sommers, Sutherland, Tanner, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, and Mr. Speaker - 39.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 397, and the bill passed the House by the following vote: Yeas, 95; nays, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representatives King J, Lux, Sutherland - 3.

Engrossed Substitute 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. 396, by Representatives Brekke, Lewis, Braddock, Brooks and Armstrong; by Department of Social and Health Services request

Changing state public assistance eligibility requirements.

The bill was read the second time. On motion of Ms. Brekke, Substitute House Bill No. 396 was substituted for House Bill No. 396, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 396 was read the second time.

On motion of Ms. Brekke, the following amendment was adopted:  
On page 3, line 27 after "(b)" strike "(i)"

Mr. Addison moved adoption of the following amendment by Representatives Addison and Zellinsky:

On page 8, line 12 after "(5)" insert the following:

"In order to ensure that state eligibility requirements for grant assistance programs are consistent with federal law, the department shall verify that a person applying for eligibility has properly disclosed all resources and income by using the federal procedure for computer matching of internal revenue forms 1099.

(6)"

Renumber the remaining subsections consecutively.

Representatives Addison and Zellinsky spoke in favor of the amendment, and Ms. Brekke spoke against it.

#### POINT OF INQUIRY

Mr. Zellinsky yielded to question by Mr. Sayan.

Mr. Sayan: "Representative Zellinsky, in drafting this amendment, did you get an estimate of the computer costs of the programming for this particular activity?"

Mr. Zellinsky: "Representative Sayan, I did not, I'll have to admit that. I imagine that possibly this could be referred to Ways and Means for that consideration. I don't know if the maker of the amendment did that, but I'm sure that it would cost some money, but sometimes you have to spend money to make money."

Representatives K. Wilson and Lux spoke against the amendment.

Mr. Crane demanded the previous question and the demand was sustained.

A division was called.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Addison and Zellinsky to Substitute House Bill No. 396, and the amendment was adopted by the following vote: Yeas, 67; nays, 31.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Baugher, Berozoff, Bond, Braddock, Bristow, Brooks, Brough, Chandler, Crane, Dobbs, Doty, Ebersole, Fisch, Fuhrman, Gallagher, Grimm, Hankins, Hastings, Haugen, Holland, Isaacson, King P, Kremen, Lewis, Long, Lundquist, Madsen, May, Miller, Nealey, Nelson G, Nutley, Padden, Patrick, Peery, Prince, Rayburn, Sanders, Sayan, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Sutherland, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walk, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 67.

Voting nay: Representatives Appelwick, Armstrong, Basich, Belcher, Brekke, Cole, Day, Dellwo, Fisher, Hargrove, Hine, Jacobsen, King J, King R, Leonard, Locke, Lux, McMullen, Nelson D, Niemi, O'Brien, Rust, Scott, Sommers, Tanner, Todd, Unsoeld, Valle, Vekich, Wang, Wineberry - 31.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 396, and the bill passed the House by the following vote: Yeas, 96; nays, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Berozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Madsen, May, McMullen, Miller, Nealey, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representatives Lux, Nelson D - 2.

Engrossed Substitute House Bill No. 396, having received the 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. 480, by Representatives Appelwick, Niemi, Locke, Sommers, Brekke, Rust, Hine and Wineberry

Specifying taxable value of improvements owned or being acquired by lessees.

The bill was read the second time. On motion of Mr. J. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 480, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

House Bill No. 480, having received the 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. 701, by Representatives Lux, Zellinsky, Winsley, Crane, Vekich, Basich, Addison, Locke, Lewis, Niemi, Holland, D. Nelson, Patrick, Leonard, Nutley, Ebersole, Todd, Wang, Doty and Wineberry

Requiring a report on check cashing fees.

The bill was read the second time. Committee on Financial Institutions & Insurance recommendation: Majority, do pass as amended:

On page 1, line 4 after "Sec. 1." strike all material to and including "Sec. 2." on line 22.

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

On motion of Mr. Lux, the following amendment by Representatives Lux, Barrett and Winsley was adopted:

On page 1, after the enacting clause insert the following:

**"NEW SECTION, Sec. 1.** The legislature finds that the fees charged by some financial institutions to cash noncustomer government checks and warrants impose a hardship on citizens who receive financial assistance from the state or federal government.

The legislature recognizes that in an era of deregulation and increased competition, some services offered by financial institutions may no longer be provided free of charge to the public. Nevertheless, the legislature encourages financial institutions to assist in the attainment of public policy objectives involving fund transfers between the government and its citizens by providing check-cashing services at little or no cost to recipients of government checks and warrants.

The legislature further encourages financial institutions to develop checking accounts which provide basic services at minimal cost so that recipients of government checks and warrants can avoid check-cashing fees by becoming customers of the financial institution."

Renumber the remaining sections consecutively.

Mr. Lux moved adoption of the following amendment by Representatives Lux, Barrett and Winsley:

On page 2, after line 11 add the following new section:

**"NEW SECTION, Sec. 3.** A new section is added to chapter 46.20 RCW to read as follows:

In addition to the use of identicards prescribed under RCW 46.20.185, identicards may also be used to establish proof of identity for purposes of the presentment of checks and other

negotiable instruments. An identicard shall be sufficient proof to establish the identity of a person presenting a state or federal check or warrant."

Mr. Lux spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Lux yielded to question by Mr. Prince.

Mr. Prince: "Representative Lux, on line 14 of your amendment, it says, '...shall be sufficient proof.' Do you mean by that 'sufficient' to mean that no other proof could be required or what is meant by that?"

Mr. Lux: "Representative Prince, from the regulations that have been drafted by DOL, there are, I think, seven different types of items that are necessary to acquire an identicard. It was felt that if all that type of information had to be given in order to acquire one of these cards, this should be sufficient proof without requiring an additional driver's license or credit card or birth certificate or all the other items that are required to get the card itself. Ordinarily those people wouldn't be carrying that type of item around with them."

Representatives Prince and Patrick spoke against the amendment, and it was not adopted.

On motion of Mr. J. King, further consideration of House Bill No. 701 was deferred and the bill was ordered placed on the second reading calendar following House Bill No. 1006.

HOUSE BILL NO. 836, by Representatives Zellinsky, Smitherman, Barrett, West, R. King, Bond, Jacobsen, Miller and Hankins

Requiring health care services contractors to issue checks directly to health care providers upon direction of the subscriber.

The bill was read the second time. On motion of Mr. Lux, Substitute House Bill No. 836 was substituted for House Bill No. 836, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 836 was read the second time.

Mr. Brooks moved adoption of the following amendments by Representatives Brooks and Paul King:

On page 1, line 7 before "If" insert the following: "This section applies only to those types of providers who are determined by the health care service contractor, from whom payment is sought, to be ineligible to participate by contract with the health care service contractor."

On page 1, line 7 after "If" strike "a" and insert "such"

Representatives Brooks, P. King and Prince spoke in favor of the amendments, and Representatives Zellinsky and Barrett spoke against them.

The amendments were adopted.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 836, and the bill passed the House by the following vote: Yeas, 96; nays, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J. King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representatives Barnes, Fisch - 2.

Engrossed Substitute House Bill No. 836, having received the 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. 999, by Representatives Appelwick, Jacobsen and Cole

Providing for the allocation of funds and programs for educational clinics.

The bill was read the second time.

Mr. Barrett moved adoption of the following amendment:

On page 2, after line 36, insert the following:

\*Sec. 5, Section 1, chapter 341, Laws of 1977 ex. sess. as amended by section 38, chapter 3, Laws of 1983 and RCW 28A.97.010 are each amended to read as follows:

(1) As used in this chapter, unless the context thereof shall clearly indicate to the contrary: Educational clinic means any private school operated on a profit or nonprofit basis and shall also mean any alternative school operated by or on behalf of a common school district as a separate and distinct program which does the following:

(a) Is devoted to the teaching of basic academic skills, including specific attention to improvement of student motivation for achieving, and employment orientation.

(b) Operates on a clinical, client centered basis. This shall include, but not be limited to, performing diagnosis of individual educational abilities, determination and setting of individual goals, prescribing and providing individual courses of instruction therefor, and evaluation of each individual client's progress in his or her educational program.

(c) Conducts courses of instruction by professionally trained personnel certificated by the state board of education according to rules and regulations promulgated for the purposes of this chapter and providing, for certification purposes, that a year's teaching experience in an educational clinic shall be deemed equal to a year's teaching experience in a common or private school.

(2) For purposes of this chapter, basic academic skills shall include the study of mathematics, speech, language, reading and composition, science, history, literature and political science or civics; it shall not include courses of a vocational training nature and shall not include courses deemed nonessential to the accrediting of the common schools or the approval of private schools under RCW 28A.04.120.

(3) The state board of education shall certify an education clinic only upon application and (a) determination that such school comes within the definition thereof as set forth in subsection (1) above and (b) demonstration on the basis of actual educational performance of such applicants' students which shows after consideration of their students' backgrounds, educational gains that are a direct result of the applicants' educational program. Such certification may be withdrawn if the board finds that a clinic fails to provide adequate instruction in basic academic skills. No educational clinic certified by the state board of education pursuant to this section shall be deemed a common school under RCW 28A.01.060 or a private school for the purposes of RCW 28A.02.201 through 28A.02.250."

Representatives Barrett, Schoon, Taylor and Ebersole spoke in favor of the amendment, and Representatives Sommers, Betrozoff, Appelwick and Walker spoke against it.

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

The amendment was not adopted.

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

Representatives Appelwick and Walker spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 999, and the bill passed the House by the following vote: Yeas, 98.

Voting yeas: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luvan, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

House Bill No. 999, having received the 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. 1001, by Representatives Appelwick and Hastings; by Department of Revenue request

Modifying provisions on property taxes.

The bill was read the second time.

Mr. May moved adoption of the following amendment by Representatives Locke, May and Hine:

On page 7, after line 25 insert:

"Sec. 9, Section 24, chapter 288, Laws of 1971 ex. sess. as last amended by section 3, chapter 218, Laws of 1979 ex. sess. and RCW 84.55.050 are each amended to read as follow:

(1) Subject to any otherwise applicable statutory dollar rate limitations, regular property taxes may be levied by or for a taxing district in an amount exceeding the limitations provided for in this chapter if such levy is authorized by a proposition approved by a majority of the voters of the taxing district voting on the proposition at a general election held within the district or at a special election within the taxing district called by the district for the purpose of submitting such proposition to the voters. Any election held pursuant to this section shall be held not more than twelve months prior to the date on which the proposed levy is to be made. The ballot of the proposition shall state the dollar rate proposed.

(2) After a levy authorized pursuant to this section is made, the dollar amount of such levy shall be used for the purpose of computing the limitations for subsequent levies provided for in this chapter, except as provided in subsection (3) of this section.

(3) A proposition placed before the voters under this section may limit the period and purpose for which the increased levy is to be made. After the expiration of the limited period or the satisfaction of the limited purpose, subsequent levies shall be computed as if:

(a) The limited proposition under this subsection had not been approved; and

(b) The taxing district had made levies at the maximum rates which would otherwise have been allowed under this chapter during the years levies were made under the limited proposition."

Representatives May and Hine spoke in favor of the amendment, and it was adopted.

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

On page 1, line 3 of the title after "84.48.120" strike "and." and insert ", 84.55.050, and"

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1001, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nulley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Engrossed House Bill No. 1001, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MESSAGE FROM THE SENATE

March 21, 1985

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 500,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 500.

HOUSE BILL NO. 1114, by Representatives Todd, Allen, Long, D. Nelson and Unsoeld

Revising procedures for adoption of energy related building standards.

The bill was read the second time. On motion of Mr. D. Nelson, Substitute House Bill No. 1114 was substituted for House Bill No. 1114, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1114 was read the second time.

Mr. Van Luven moved adoption of the following amendment by Representatives Van Luven, R. King, Nealey, J. Williams, Zellinsky, P. King, Gallagher, Padden and Isaacson:

Strike everything after the enacting clause and insert the following:

\*Sec. 1. Section 3, chapter 96, Laws of 1974 ex. sess. as last amended by section 1, chapter 101, Laws of 1984 and RCW 19.27.030 are each amended to read as follows:

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

(1) Uniform Building Code and Uniform Building Code Standards, 1982 edition, published by the International Conference of Building Officials;

(2) Uniform Mechanical Code, 1982 edition, including Chapter 22, Fuel Gas Piping, Appendix B, published by the International Conference of Building Officials;

(3) The Uniform Fire Code and Uniform Fire Code Standards, 1982 edition, published by the International Conference of Building Officials and the Western Fire Chiefs Association: PROVIDED, That, notwithstanding any wording in this code, participants in religious ceremonies shall not be precluded from carrying hand-held candles;

(4) The Uniform Plumbing Code and Uniform Plumbing Code Standards, 1982 edition, published by the International Association of Plumbing and Mechanical Officials: PROVIDED, That chapters 11 and 12 of such code are not adopted;

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

(6) ~~(The thermal performance and design standards for dwellings as set forth in RCW 19.27.210 through 19.27.290. This subsection shall be of no further force and effect when RCW 19.27.200 through 19.27.290 expire as provided in RCW 19.27.300)~~ The Washington state energy code, June 30, 1980, edition adopted by the state building code advisory council and amendments to the code adopted prior to January 1, 1985, the revision to the state energy code adopted pursuant to RCW 19.27.075, and subsequent amendments adopted by the council under chapter 34.04 RCW.

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

Sec. 2. Section 3, chapter 76, Laws of 1979 ex. sess. and RCW 19.27.075 are each amended to read as follows:

(1) The state building code advisory council shall ~~((have authority to))~~ promulgate rules, pursuant to chapter 34.04 RCW, for the purpose of adopting a ~~((state-wide thermal efficiency and lighting))~~ revised state code ~~((to the extent necessary to comply with Title 10, Code of Federal Regulations, section 420.35. Such))~~. The revised code shall be designed to achieve reductions in energy consumption relative to buildings constructed to comply with the state energy code, June 30, 1980 edition, as amended. The council shall follow the legislature's guidelines set forth in this section to design a revised code which requires new buildings to meet a certain level of energy efficiency, but allows flexibility in building design and construction within that framework. The revised code shall take into account regional climatic conditions ~~((shall take effect prior to June 30, 1980, and shall be presented to the senate and house committees on~~



energy and utilities at the time it is proposed as a draft rule)) and shall be designed according to the following guidelines:

(a) For new electrically space-heated residential buildings, the code shall be designed to achieve energy savings equivalent to savings achieved in typical buildings constructed with:

(i) Level ceilings insulated to a level of R-38 and sloped or vaulted ceilings insulated to a level of R-30;

(ii) Walls insulated to a level of R-19 in areas with more than six thousand annual heating degree days and to a level of R-17.5 in areas with six thousand or less annual heating degree days;

(iii) Floors over unheated spaces insulated to a level of R-19 for areas with less than six thousand annual heating degree days and to a level of R-25 for areas with six thousand or more annual heating degree days (R value includes insulation only);

(iv) Double glazed windows with tested R values not less than 1.85 in areas with more than six thousand annual heating degree days and 1.65 in areas with six thousand or less annual heating degree days when tested according to the procedures of the American architectural manufacturers association; and

(v) A maximum of seventeen percent of the floor area in glazing in areas with more than six thousand annual heating degree days and twenty-one percent in areas with six thousand or less annual heating degree days.

(b) For new residential buildings which are space heated with other fuels, the code shall be designed to be cost-effective to consumers.

(c) For new nonresidential buildings, the code shall be designed to achieve a ten percent reduction in energy consumption relative to buildings constructed to comply with the state energy code, June 30, 1980 edition, as amended.

(2) The council shall publish the revision as proposed rules pursuant to chapter 34.04 RCW. All cities, towns, and counties shall adopt the revised code not later than January 1, 1986. The revised state energy code shall supersede all state and local government energy codes adopted prior to January 1, 1986: PROVIDED, That cities, towns, and counties may adopt more restrictive codes for residential construction if the builder or owner of new residential construction is reimbursed by the local government adopting more restrictive codes for those additional installed costs of conservation components that are attributable to the stricter codes.

NEW SECTION. Sec. 3. A new section is added to chapter 19.27 RCW to read as follows:

There is appropriated the sum of seven hundred fifty thousand dollars, or so much thereof as may be necessary, from the general fund to the University of Washington for the biennium ending June 30, 1987, for the use of the college of architecture and department of mechanical engineering for the purpose of in situ testing of the annual thermal transmittance of individual construction components and conservation measures proposed for new residential construction by the northwest power planning council.

(1) The study shall include an analysis of the economic feasibility of adopting thermal performance standards for new residential construction as proposed by the northwest power planning council. The study of economic feasibility shall include but not necessarily be limited to factors which shall not require an amortization of the individual components exceeding a life cycle of seven years and a discount rate (interest) computed at the current conventional market rate at par.

(2) The results of the study shall be reported to the legislature, the director of the state energy office, and to the state building code advisory council no later than July 1, 1987.

(3) The study shall be funded by a surcharge on building permit fees imposed by all local governments of the state. The surcharge shall be ten dollars on all multifamily residential building permits, fifteen dollars on all single-family residential building permits, and fifteen dollars on all other building permits. The surcharge shall terminate on June 30, 1989, or at such time as the state general fund is reimbursed for the cost of the study.

NEW SECTION. Sec. 4. A new section is added to chapter 19.27 RCW to read as follows:

As used in this chapter, references to the state building code advisory council shall be construed to include any successor agency.

NEW SECTION. Sec. 5. The following acts or parts of acts are each repealed:

- (1) Section 1, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.200;
- (2) Section 2, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.210;
- (3) Section 3, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.220;
- (4) Section 4, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.230;
- (5) Section 5, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.240;
- (6) Section 6, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.250;
- (7) Section 7, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.260;
- (8) Section 8, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.270;
- (9) Section 9, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.280;
- (10) Section 10, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.290;
- (11) Section 14, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.300;
- (12) Section 16, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.310; and
- (13) Section 17, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.905.

NEW SECTION, Sec. 6. 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. 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."

Representatives Van Luven, Isaacson and D. Nelson spoke in favor of the amendment, and Representatives Miller and Todd spoke against it.

#### POINT OF INQUIRY

Mr. Todd yielded to question by Mr. Smitherman.

Mr. Smitherman: "Representative Todd, I do have some questions about this and concerns that we have discussed many hours. I'm concerned about how this would affect other types of utilities -- for example, oil and gas? This bill speaks to, I think, things we might consider as electric utilities. What would this do for people who use other types of energy sources?"

Mr. Todd: "Representative Smitherman, I would tell you that I could spend days and months talking to you about this issue. What this does as far as other utilities are concerned, the language says that the code that is cost-effective for users of other fuels shall be developed by the State Building Code Advisory Council."

Mr. Smitherman: "Because we have been, in the City of Tacoma and perhaps in some other cities, anticipating the adoption of this, what about your measurements of time? Would this amendment, for example, cause a roll-back in terms of the standards to be adopted?"

Mr. Todd: "The amendment would cause a roll-back for all jurisdictions that adopted the energy conservation standards or anything more stringent than what this code proposes, which is something just a shade over the 1980 Energy Code."

Mr. Smitherman spoke against the amendment, and Representatives Bond, J. Williams and R. King spoke in favor of it.

Mr. Crane demanded the previous question and the demand was sustained.

A division was called.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Van Luven and others, and the amendment was not adopted by the following vote: Yeas, 44; nays, 54.

Voting yea: Representatives Addison, Barnes, Barrett, Baugher, Betzoff, Bond, Brooks, Chandler, Day, Dobbs, Doty, Fuhrman, Gallagher, Hankins, Hastings, Haugen, Holland, Isaacson, King P, King R, Lewis, Lundquist, May, Miller, Nelson G, Padden, Patrick, Rayburn, Sanders, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Taylor, Thomas, Van Luven, Walker, West, Williams J, Wilson S, Winsley, Zellinsky - 44.

Voting nay: Representatives Allen, Appelwick, Armstrong, Ballard, Basich, Belcher, Braddock, Brekke, Bristow, Brough, Cole, Crane, Dellwo, Ebersole, Fisch, Fisher, Grimm, Hargrove, Hine, Jacobsen, King J, Kremen, Leonard, Locke, Long, Lux, Madsen, McMullen, Nealey, Nelson D, Niemi, Nutley, O'Brien, Peery, Prince, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Tilly, Todd, Unsold, Valle, van Dyke, Vander Stoep, Vekich, Walk, Wang, Williams B, Wilson K, Wineberry, and Mr. Speaker - 54.

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

Representatives Todd and D. Nelson spoke in favor of the bill, and Representatives Isaacson and Van Luven opposed it.

Mr. Crane demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1114, and the bill passed the House by the following vote: Yeas, 57; nays, 41.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barrett, Belcher, Braddock, Brekke, Brough, Cole, Crane, Dellwo, Ebersole, Fisch, Fisher, Grimm, Haugen, Hine, Holland, Jacobsen, King J, Kremen, Leonard, Locke, Long, Lux, Madsen, McMullen, Miller,

Nealey, Nelson D, Niemi, O'Brien, Peery, Prince, Rust, Sayan, Schoon, Scott, Silver, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, van Dyke, Vander Stoep, Walk, Walker, Wang, Williams B, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 57.

Voting nay: Representatives Ballard, Barnes, Basich, Baugher, Betzoff, Bond, Bristow, Brooks, Chandler, Day, Dobbs, Doty, Fuhrman, Gallagher, Hankins, Hargrove, Hastings, Isaacson, King P, King R, Lewis, Lundquist, May, Nelson G, Nulley, Padden, Patrick, Rayburn, Sanders, Schmidt, Smith C, Smith L, Smitherman, Taylor, Thomas, Tilly, Van Luven, Vekich, West, Williams J, Zellinsky - 41.

Substitute House Bill No. 1114, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. J. King, all bills passed by the House in the evening session were ordered immediately transmitted to the Senate.

#### MOTIONS

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

On motion of Mr. J. King, SUBSTITUTE SENATE BILL NO. 3540 was rereferred from Committee on Social & Health Services to Committee on Financial Institutions & Insurance;

On motion of Mr. J. King SENATE BILL NO. 3555 was rereferred from Committee on Ways & Means to Committee on Financial Institutions & Insurance.

On motion of Mr. J. King, SENATE BILL NO. 4107 was rereferred from Committee on Social & Health Services to Committee on Judiciary.

#### MOTION

On motion of Mr. J. King, the House adjourned until 10:00 a.m., Friday, March 22, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk

## SIXTY-EIGHTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Friday, March 22, 1985.

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

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Susan Westover and Chris Cederborg, an exchange student from Sweden. Prayer was offered by The Reverend David Shaw, Minister of the First Baptist Church of Lacey.

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

## MESSAGE FROM THE SENATE

March 22, 1985

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 500.

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

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

## SECOND READING

HOUSE BILL NO. 1006, by Representatives Appelwick and Hastings; by Department of Revenue request

Modifying the definition of consumer for excise tax purposes.

The bill was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1006, and the bill passed the House by the following vote: Yeas, 97; absent, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Grimm - 1.

House Bill No. 1006, having received the 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. 701, by Representatives Lux, Zellinsky, Winsley, Crane, Vekich, Basich, Addison, Locke, Lewis, Niemi, Holland, D. Nelson, Patrick, Leonard, Nutley, Ebersole, Todd, Wang, Doty and Wineberry

Requiring a report on check cashing fees.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, 67th Day, March 21, 1985.)

On motion of Mr. Lux, the following amendments by Representatives Lux, Locke and Prince were adopted:

On page 2, after line 11 add the following new section:

"NEW SECTION, Sec. 3. A new section is added to chapter 46.20 RCW to read as follows:

In addition to the use of identicards prescribed under RCW 46.20.185, identicards may also be used to establish proof of identity for purposes of the presentation of checks and other negotiable instruments."

On page 1, line 1 of the title after "institutions" insert "adding a new section to chapter 46.20 RCW:"

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 701, and the bill passed the House by the following vote: Yeas, 92; nays, 6.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 92.

Voting nay: Representatives Ballard, Barnes, Bond, Padden, Sanders, Williams J - 6.

Engrossed House Bill No. 701, having received the 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. 17, by Representatives K. Wilson, Lundquist, D. Nelson, Thomas, R. King, Hankins, Haugen, Sutherland and Isaacson

Requesting federal funds for treaty fish management.

The memorial was read the second time. Committee on Natural Resources recommendation: Majority, do pass with the following amendment:

On page 1, line 6 after "the" strike "Senate and House of Representatives" and insert "House of Representatives and Senate"

Mr. Sutherland moved adoption of the committee amendment. Mr. Sutherland spoke against adoption of the amendment, and it was not adopted.

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

Ms. K. Wilson spoke in favor of passage of the memorial.

#### ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 17, and the memorial passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

House Joint Memorial No. 17, having received the constitutional majority, was declared passed.

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

## THIRD READING

SUBSTITUTE HOUSE BILL NO. 61, by Committee on Financial Institutions & Insurance (originally sponsored by Representatives Dellwo, Lux, Fisch, Hine and Basich)

Revising provisions relating to health insurance for public employees.

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

Representatives Dellwo, Barrett, Prince, J. King and Isaacson spoke in favor of passage of the bill, and Representatives Smitherman, Betrozoff, Schoon and G. Nelson spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 61, and the bill passed the House by the following vote: Yeas, 72; nays, 26.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Basich, Baugher, Belcher, Braddock, Brooks, Chandler, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Lundquist, Lux, Madsen, May, McMullen, Nelson D, Niemi, Nutley, O'Brien, Patrick, Prince, Rayburn, Rust, Sayan, Schmidt, Scott, Smith C, Smith L, Smitherman, Tanner, Taylor, Thomas, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 72.

Voting nay: Representatives Ballard, Betrozoff, Bond, Brekke, Bristow, Brough, Dobbs, Doty, Fuhrman, Hargrove, Hastings, Long, Miller, Nealey, Nelson G, Padden, Peery, Sanders, Schoon, Silver, Sommers, Sutherland, Tilly, van Dyke, Walker, Williams J - 26.

Substitute 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.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 203, by Committee on Transportation (originally sponsored by Representatives Patrick, Holland, Leonard, Brough, Schmidt, Crane, Todd, Padden, Lux, Zellinsky, Schoon, Bond, Sanders, Isaacson, May and J. Williams)

Directing the state auditor to study diversion of county road property tax revenues.

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

Representatives Patrick and Crane spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 203, and the bill passed the House by the following vote: Yeas, 84; nays, 14.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Betrozoff, Bond, Brekke, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Holland, Isaacson, Jacobsen, King P, King R, Leonard, Lewis, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Todd, Unsoeld, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 84.

Voting nay: Representatives Barrett, Belcher, Braddock, Bristow, Fisher, Hine, King J, Kremen, Lundquist, Niemi, Rust, Tilly, Valle, Wang - 14.

Engrossed Substitute 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.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 820, by Committee on Social & Health Services (originally sponsored by Representatives Wineberry, Patrick, Lux, Lewis, Appelwick, Dellwo, Jacobsen, Day, Sayan and Unsoeld)

Providing services for persons with developmental disabilities.

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

Representatives Wineberry, Lundquist, Smitherman and Patrick spoke in favor of passage of the bill, and Representatives Grimm and Schoon spoke against it.

Mr. Wineberry spoke again in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 820, and the bill passed the House by the following vote: Yeas, 71; nays, 27.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Belcher, Brekke, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisher, Gallagher, Hankins, Hargrove, Holland, Jacobsen, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Scott, Silver, Smith C, Smith L, Smitherman, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky - 71.

Voting nay: Representatives Barnes, Basich, Baugher, Betzoff, Bond, Braddock, Bristow, Dobbs, Fisch, Fuhrman, Grimm, Hastings, Haugen, Hine, Isaacson, King J, McMullen, Nealey, Padden, Schoon, Sommers, Van Luven, Vander Stoep, Vekich, West, Williams B, and Mr. Speaker - 27.

Engrossed Substitute House Bill No. 820, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE JOINT MEMORIAL NO. 24, by Committee on State Government (originally sponsored by Representatives Belcher, Allen, Unsoeld, D. Nelson, Brooks, Wang, Cole, Todd, Lewis, Lux, Niemi, Locke, Jacobsen, Miller and Dellwo)

Petitioning Congress to halt deportation of Central American refugees.

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

Representatives Belcher and D. Nelson spoke in favor of the memorial, and Representatives Fuhrman, Van Luven, Bond and Schoon spoke against it.

Mr. Crane demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Joint Memorial No. 24, and the memorial passed the House by the following vote: Yeas, 53; nays, 45.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barrett, Basich, Belcher, Braddock, Brekke, Cole, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, Madsen, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Peery, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, and Mr. Speaker - 53.

Voting nay: Representatives Ballard, Barnes, Baugher, Betzoff, Bond, Bristow, Brooks, Brough, Chandler, Crane, Dobbs, Doty, Fuhrman, Hankins, Hargrove, Hastings, Haugen, Holland, Isaacson, Long, Lundquist, May, Nealey, Padden, Patrick, Prince, Rayburn, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Zellinsky - 45.

Substitute House Joint Memorial No. 24, having received the constitutional majority, was declared passed.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease until 1:30 p.m.

#### AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker.

There being no objection, the House reverted to the sixth order of business.

## SECOND READING

HOUSE BILL NO. 24, by Representatives Haugen, Brough and P. King

Allowing cities and towns to charge interest on sewer and water hook-ups.

The bill was read the second time. On motion of Ms. Haugen, Substitute House Bill No. 24 was substituted for House Bill No. 24, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 24 was read the second time. On motion of Ms. Hine, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Hine, Haugen, May and Brough spoke in favor of the bill, and Representatives Padden and Winsley spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 24, and the bill passed the House by the following vote: Yeas, 86; nays, 12.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lux, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Loven, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Zellinsky - 86.

Voting nay: Representatives Bond, Cole, Lundquist, Madsen, Padden, Patrick, Sanders, Taylor, Walker, West, Winsley, and Mr. Speaker - 12.

Substitute House Bill No. 24, having received the 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. 110, by Representatives Brekke and Lewis; by Department of Social and Health Services and Department of Fisheries request

Regulating removal and possession of commercial quantities of shellfish.

The bill was read the second time. Committee on Social & Health Services recommendation: Majority, do pass as amended. (For amendment, see Journal, 40th Day, February 22, 1985.)

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

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

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

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 110, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Loven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Engrossed House Bill No. 110, having received the 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. 576, by Representatives Haugen and Brough

Increasing contract amounts for approved use of small works roster.

The bill was read the second time. On motion of Mr. J. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 576, and the bill passed the House by the following vote: Yeas, 97; absent, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, Mary, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Chandler - 1.

House Bill No. 576, having received the 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. 660, by Representatives Gallagher, Schmidt, Haugen, Holland, S. Wilson and J. Williams; by Washington State Patrol and Utilities and Transportation Commission request

Authorizing the state patrol and the utilities and transportation commission to establish standards for private carriers.

The bill was read the second time. On motion of Mr. Walk, Substitute House Bill No. 660 was substituted for House Bill No. 660, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 660 was read the second time. On motion of Mr. J. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 660, and the bill passed the House by the following vote: Yeas, 94; nays, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, Mary, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representatives Belcher, Fisher, Sayan, Sutherland - 4.

Substitute 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.

HOUSE BILL NO. 700, by Representatives Appelwick, Ebersole, Hine and Haugen

Revising the uniform unclaimed property act.

The bill was read the second time. On motion of Ms. Haugen, Substitute House Bill No. 700 was substituted for House Bill No. 700, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 700 was read the second time.

Mr. Appelwick moved adoption of the following amendment:

On page 1, beginning on line 4 strike all of section 1 and insert the following:

"NEW SECTION. Sec. 1. Section 2, chapter 179, Laws of 1983 and RCW 63.29.020 are each repealed."

Mr. Appelwick spoke in favor of the amendment, and Mr. Patrick spoke against it.

The amendment was not adopted.

#### MOTION

On motion of Mr. J. King, further consideration of Substitute House Bill No. 700 was deferred, and the bill was ordered placed at the bottom of the second reading calendar.

HOUSE BILL NO. 1182, by Representatives J. King, S. Wilson, Haugen, Fisher, Gallagher, O'Brien, K. Wilson, McMullen, Hankins, Betzoff, Schoon, Jacobsen, Miller, Isaacson and Tilly; by Washington Traffic Safety Commission request

Requiring the use of safety belts and child safety seats in motor vehicles.

The bill was read the second time. On motion of Mr. Walk, Substitute House Bill No. 1182 was substituted for House Bill No. 1182, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1182 was read the second time.

Mr. Sutherland moved adoption of the following amendment by Representatives Sutherland and Brough:

On page 1, line 22 after "208." insert "This section does not apply to a vehicle occupant for whom no safety belt is available when all designated seating positions as required by federal motor vehicle safety standard 208 are occupied."

Representatives Sutherland, Brough and J. King spoke in favor of the amendment, and it was adopted.

Mr. Addison moved adoption of the following amendment:

On page 1, line 22 after "208" insert ": PROVIDED, That all buses, school buses, multipurpose passenger vehicles and commercial carriers of passengers must provide a safety belt for each passenger."

Representative Addison spoke in favor of the amendment, and Representatives J. King, Van Luven and Schoon spoke against it.

The amendment was not adopted.

Mr. Fuhrman moved adoption of the following amendment:

On page 1, after line 29 insert:

"(5) All motor vehicles manufactured or assembled after January 1, 1986, shall be equipped with safety belts meeting the requirements of this section, except for those vehicles exempted by rule of the traffic safety commission"

Mr. Fuhrman spoke in favor of the amendment, and Mr. Walk spoke against it.

The amendment was not adopted.

Mr. Fuhrman moved adoption of the following amendment:

On page 1, after line 29 insert:

"(5) The maximum number of passengers lawfully permitted in a vehicle manufactured after January 1, 1968, shall be determined by the number of available safety belts. This subsection does not apply to police vehicles."

Renumber the remaining subsections accordingly.

## POINT OF ORDER

Mr. Walk: "Mr. Speaker, will you please rule on scope and object on this amendment?"

## SPEAKER'S RULING

The Speaker: "Representative Walk, the Speaker has reviewed the amendment and the bill before us, Substitute House Bill 1182, and has noted that the bill deals with safety and restraints. The floor amendment deals with the maximum number of passengers allowed in a vehicle. The Speaker would find that this floor amendment is outside the scope and object of the bill."

Mr. Nealey moved adoption of the following amendment:

On page 2, line 1 after "(5)" strike all material through "1986" on line 3 and insert "until ninety days after the repeal of 23 U.S.C. 154, relating to the national speed limit, the driver of a motor vehicle who is detained by a law enforcement officer for a suspected violation, may be advised of the effectiveness of seat belt usage. Ninety days after the repeal of 23 U.S.C. 154."

Representatives Nealey and Schmidt spoke in favor of the amendment, and Mr. Walk spoke against it.

The amendment was not adopted.

Mr. P. King moved adoption of the following amendment by Representatives Vekich, Ballard and P. King:

On page 2, line 5 after "RCW" insert ": PROVIDED, That there shall be no monetary penalty assessed"

Representatives P. King and Padden spoke in favor of the amendment, and Mr. J. King spoke against it.

A division was called.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Vekich and others to page 2, line 5 of Substitute House Bill No. 1182, and the amendment was not adopted by the following vote: Yeas, 48; nays, 50.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Baugher, Bond, Brooks, Brough, Chandler, Day, Dobbs, Doty, Ebersole, Fisch, Fuhrman, Hankins, Hastings, Holland, Isaacson, King P, Kremen, Lewis, Long, Madsen, May, Nealey, Nelson G, Padden, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Tanner, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Vekich, Walker, West, Williams B, Williams J, Winsley - 48.

Voting nay: Representatives Appelwick, Armstrong, Basich, Belcher, Betrozoff, Braddock, Brekke, Bristow, Cole, Crane, Dellwo, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King R, Leonard, Locke, Lundquist, Lux, McMullen, Miller, Nelson D, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Todd, Unsoeld, Valle, Walk, Wang, Wilson K, Wilson S, Wineberry, Zellinsky, and Mr. Speaker - 50.

Mr. Fuhrman moved adoption of the following amendment:

On page 2, line 5 after "RCW" insert ": PROVIDED, That the penalty shall be twenty-five dollars"

Mr. Fuhrman spoke in favor of the amendment, and Mr. P. King spoke against it.

The amendment was not adopted.

Mr. Tilly moved adoption of the following amendment by Representatives Tilly and Locke:

On page 2, beginning on line 8 after "(6)" strike all material down to and including "action." on line 10 and insert the following: "Failure to comply with the requirements of this section is admissible as evidence to mitigate damages in a civil action brought to recover damages for wrongful death or injuries resulting from a motor vehicle accident."

Mr. Tilly spoke in favor of the amendment, and Mr. McMullen spoke against it.

The amendment was not adopted.

Mr. Fuhrman moved adoption of the following amendment:

On page 2, after line 18 insert "(9) The superintendent of public instruction shall establish a program that provides children in grades K to 12 with instruction in basic traffic safety including the requirement that adults and children wear seat belts as required under subsection (4) of this section."

Renumber the remaining subsections accordingly.

Mr. Fuhrman spoke in favor of the amendment, and Representatives Schoon and Lundquist spoke against it.

The amendment was not adopted.

Mr. Locke moved adoption of the following amendment by Representatives Locke and Tilly:

On page 2, line 8 following "(6)" strike all language through and including "action." on line 10.

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

Mr. Locke spoke in favor of the amendment.

#### POINT OF ORDER

Mr. S. Wilson: "Mr. Speaker, in examining this particular amendment, it's covering the same section of a previous amendment which was defeated. It struck the same language. Even though the previous amendment attempted to add language, this current amendment is striking the same language and I would challenge it."

#### SPEAKER'S RULING

The Speaker: "You are out on two counts, Representative Wilson. One is that it's not a true interpretation and the second thing is that you didn't ask in a timely fashion. To raise a scope and object question, it should have been done sooner."

Representatives McMullen and J. King opposed the amendment, and Mr. Tilly spoke in favor of it.

The amendment was not adopted.

Mr. Fuhrman moved adoption of the following amendment:

On page 2, after line 22 insert:

"NEW SECTION. Sec. 2. A new section is added to chapter 46.61 RCW to read as follows:

Any vehicle traveling on a public road or highway shall employ its headlights when operating its windshield wipers."

#### POINT OF ORDER

Mr. Walk: "Mr. Speaker, I would respectfully request that you examine this amendment for scope and object."

#### SPEAKER'S RULING

The Speaker: "Representative Walk, I wish this were a clean amendment, but it is not. The Speaker has examined SHB 1182, which deals with motor vehicle safety restraints. The amendment deals with windshield wipers. The Speaker would rule that this is outside the scope and object."

Mr. Fuhrman moved adoption of the following amendment:

On page 2, after line 22 insert:

"NEW SECTION. Sec. 2. A new section is added to chapter 46.61 RCW to read as follows:

No person shall operate or be a passenger on a motorcycle on a public street or highway unless that person wears a DOT or Snell approved helmet."

#### POINT OF ORDER

Mr. Walk: "I would respectfully request the Speaker to examine this amendment for scope and object."

#### SPEAKER'S RULING

The Speaker: "The Speaker has examined the amendment in relation to Substitute House Bill 1182, which deals with motor vehicle safety restraints and this amendment deals with helmets for passengers on a motorcycle. The Speaker would rule that this is outside the scope and object of Substitute House Bill 1182."

Mr. Chandler moved adoption of the following amendment by Representatives Chandler, Padden, Nealey and C. Smith:

On page 2, following line 22 insert a new section to read as follows:

"Sec. 2. Section 2, chapter 16, Laws of 1963 as last amended by section 34, chapter 151, Laws of 1977 ex. sess. and RCW 46.61.405 are each amended to read as follows:

Whenever the secretary of transportation shall determine upon the basis of an engineering and traffic investigation that any maximum speed hereinbefore set forth is greater than is reasonable or safe with respect to a state highway under the conditions found to exist at any intersection or upon any other part of the state highway system or at state ferry terminals, or that a general reduction of any maximum speed hereinbefore set forth would aid in the conservation of energy resources, the secretary may determine and declare a reasonable and safe lower maximum limit or a lower maximum limit which will reasonably conserve energy resources, for any state highway, the entire state highway system, or any portion thereof, which shall be effective when appropriate signs giving notice thereof are erected. When 23 U.S.C. 154, relating to the national maximum speed limit, is repealed, the authority of the secretary to determine and declare a lower maximum speed for the purpose of aiding in the conservation of energy resources shall terminate ninety days after such repeal. The secretary may also fix and regulate the speed of vehicles on any state highway within the maximum speed limit allowed by this chapter for special occasions including, but not limited to, local parades and other special events. Any such maximum speed limit may be declared to be effective at all times or at such times as are indicated upon the said signs; and differing limits may be established for different times of day, different types of vehicles, varying weather conditions, and other factors bearing on safe speeds, which shall be effective (a) when posted upon appropriate fixed or variable signs or (b) if a maximum limit is established for auto stages which is lower than the limit for automobiles, the auto stage speed limit shall become effective thirty days after written notice thereof is mailed in the manner provided in subsection (4) of RCW 46.61.410, as now or hereafter amended."

Renumber the remaining section consecutively.

#### POINT OF ORDER

Mr. Walk: "Would the Speaker please examine this amendment for scope and object?"

#### SPEAKER'S RULING

The Speaker: "The Speaker has examined the amendment and compared it with Substitute House Bill 1182, which deals with motor vehicle safety restraints. The amendment deals with speed limits. The Speaker finds that it is outside the scope and object."

Mr. Fuhrman moved adoption of the following amendment:

On page 2, after line 28 insert:

"NEW SECTION. Sec. 3. A new section is added to chapter 46.61. RCW to read as follows:

(1) No law enforcement agency may establish or conduct a roadblock, temporary check-point, or other procedure or device for stopping motor vehicles without an individualized determination of probable cause, to ascertain whether the drivers of those vehicles are wearing safety belts.

(2) 'Law enforcement agency' as used in this section means the Washington state patrol or the law enforcement agency of a county, city or town."

Renumber the remaining sections consecutively.

#### POINT OF ORDER

Mr. Walk: "I request the Speaker to examine this amendment for scope and object."

#### SPEAKER'S RULING

The Speaker: "The Speaker has examined the amendment and the bill which deals with motor vehicle safety restraints and finds that the amendment deals with roadblocks and checkpoints and is inconsistent with the scope and object of the bill. Therefore, it is outside the scope and object of the bill."

Mr. Fuhrman moved adoption of the following amendment:

On page 1, after line 29 insert:

"(5) The number of available safety belts shall determine the maximum number of passengers lawfully permitted in a vehicle manufactured after January 1, 1968. This subsection does not apply to police vehicles."

Renumber all subsequent subsections accordingly.

Representatives Fuhrman and Schoon spoke in favor of the amendment and Representatives Walk and J. King opposed it.

The amendment was not adopted.

Mr. Fuhrman moved adoption of the following amendment:

On page 2, after line 28 insert:

"NEW SECTION. Sec. 3. A new section is added to chapter 46.37 RCW to read as follows:

No passenger car or light truck may be offered for sale or sold as a new vehicle in the state of Washington without compliance with the automatic occupant restraint requirements of FMVSS 208, as amended July 17, 1984, as set forth at 49 CFR 571.208, and according to the compliance schedule therein, without regard to whether two-thirds of the population of the United States is subject to a mandatory use seatbelt law by September 1, 1986.

'Light truck' for the purposes of this section means any motor truck rated by the manufacturer as three-quarter ton or less."

Renumber the remaining sections consecutively.

Mr. Fuhrman spoke in favor of the amendment.

The amendment was not adopted.

Mr. Fuhrman moved adoption of the following amendment:

On page 2, following line 32 insert a new section to read as follows:

"NEW SECTION. Sec. 4. This act shall take effect ninety days after the repeal of 23 U.S.C. 154, relating to the national speed limit, and termination of the authority of the secretary of transportation to set speed limits for energy conservation purposes."

#### POINT OF ORDER

Mr. J. King: "I would ask you to rule on the scope and object, Mr. Speaker."

#### SPEAKER'S RULING

The Speaker: "Representative King, the Speaker has examined Substitute House Bill 1182, which deals with motor vehicle safety restraints, and the amendment, which deals with a contingency effective date which is tied to the national speed limit. It is the Speaker's opinion--it was the attorney's opinion--that the point is well taken. The amendment is out of order."

#### POINT OF ORDER

Mr. G. Nelson: "Mr. Speaker, I would like to speak directly to your ruling. This section is simply establishing an effective date. It is doing nothing more than that. It doesn't have anything to do with anything else at all. Any member of this body could put up a section that would have a definite date or any date that is contingent upon this body or any other body. In this case, it's the federal Congress. I think perhaps it's been read in haste and I would like to have the Speaker consult with his attorney one more time."

#### SPEAKER'S RULING

The Speaker: "It is the view of the Speaker that this is a contingency proposal which is tied to a national speed limit. It does not relate to a specific date. It refers to the action of a national speed limit which is inconsistent with Substitute House Bill 1182 and outside the scope and object."

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

Representatives J. King, R. King, S. Wilson, Brooks, K. Wilson, Van Luven, Patrick and May spoke in favor of passage of the bill, and Representative Fuhrman spoke against it.

Mr. Crane demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1182, and the bill passed the House by the following vote: Yeas, 70; nays, 28.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Brooks, Cole, Day, Dellwo, Doty, Fisch, Fisher, Gallagher, Grimm, Hankins, Haugen, Hine, Isaacson, Jacobsen, King J, King P, King R, Leonard,

Lewis, Locke, Long, Lundquist, Lux, May, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schoon, Scott, Silver, Smitherman, Sommers, Sutherland, Taylor, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 70.

Voting nay: Representatives Addison, Barnes, Bond, Bristow, Brough, Chandler, Crane, Dobbs, Ebersole, Fuhrman, Hargrove, Hastings, Holland, Kremen, Madsen, Nealey, Padden, Sanders, Schmidt, Smith C, Smith L, Tanner, Thomas, Vander Stoep, Vekich, Walk, West, Williams B - 28.

Engrossed Substitute House Bill No. 1182, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

There being no objection, the House reverted to the fourth order of business.

#### MESSAGE FROM THE SENATE

March 21, 1985

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 3120,  
 SUBSTITUTE SENATE BILL NO. 3390,  
 SUBSTITUTE SENATE BILL NO. 3448,  
 SUBSTITUTE SENATE BILL NO. 3514,  
 SENATE BILL NO. 3569,  
 SUBSTITUTE SENATE BILL NO. 3619,  
 ENGROSSED SENATE BILL NO. 3782,  
 SUBSTITUTE SENATE BILL NO. 3981,  
 SUBSTITUTE SENATE BILL NO. 4100,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 4105,  
 ENGROSSED SENATE BILL NO. 4143,  
 SUBSTITUTE SENATE BILL NO. 4208,  
 SUBSTITUTE SENATE BILL NO. 4241,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

#### INTRODUCTIONS AND FIRST READING

SB 3120 by Senators Conner, Hansen and Garrett; by Department of Transportation request

Modifying certain motor vehicle standards.

Referred to Committee on Transportation.

SSB 3390 by Committee on Ways & Means (originally sponsored by Senators Granlund, Kiskaddon and Kreidler; by Department of Social and Health Services request)

Changing nursing home auditing standards.

Referred to Committee on Ways & Means.

SSB 3448 by Committee on Education (originally sponsored by Senators Gaspard, Bender, Kiskaddon, Stratton, Talmadge, Garrett, Fleming, Bauer, Rinehart, Warnke, Lee and Goltz)

Providing for seismic safety in school buildings.

Referred to Committee on Education

SSB 3514 by Committee on Education (originally sponsored by Senators Bauer, Benitz, Goltz, Rasmussen, Peterson, Vognild, Bender, Saling, Zimmermann, Bailey, Lee and Johnson; by Temporary Committee on Educational Policies, Structure and Management request)

Providing for cooperation among school districts and other entities for improved program opportunities and for exploration of new technologies.

Referred to Committee on Education.

- SB 3569 by Senators Talmadge, Thompson and Zimmerman  
 Modifying provisions on the risk management office.  
 Referred to Committee on State Government.
- SSB 3619 by Committee on Education (originally sponsored by Senators Bauer, Benitz, Gaspard, Rasmussen, Lee, Bender, Guess and Sellar; by Temporary Committee on Educational Policies, Structure and Management request)  
 Providing data on costs of bilingual and remedial programs.  
 Referred to Committee on Education.
- ESB 3782 by Senators Gaspard, Bender, Johnson, Stratton, Goltz and Conner; by Superintendent of Public Instruction request  
 Establishing the Washington state honors award program.  
 Referred to Committee on Education.
- SSB 3981 by Committee on Commerce & Labor (originally sponsored by Senator Vognild)  
 Exempting independent taxicab operators from industrial insurance coverage.  
 Referred to Committee on Commerce & Labor.
- SSB 4100 by Committee on Commerce & Labor (originally sponsored by Senator Warnke)  
 Establishing the centennial partnership commission.  
 Referred to Committee on State Government.
- ESSB 4105 by Committee on Judiciary (originally sponsored by Senators Newhouse, Hayner, Lee and McCaslin)  
 Relating to mental health commitment.  
 Referred to Committee on Social & Health Services.
- ESB 4143 by Senator Gaspard; by Superintendent of Public Instruction request  
 Changing provisions relating to student transportation allocations.  
 Referred to Committee on Education.
- SSB 4208 by Committee on Commerce & Labor (originally sponsored by Senators Warnke, Bottiger, McManus, Bender, Rasmussen and Owen)  
 Providing for development of a state mine rescue plan and providing civil immunity for rescue activities under the plan.  
 Referred to Committee on State Government
- SSB 4241 by Committee on Ways & Means (originally sponsored by Senators McDermott, Lee, Rasmussen, Bender, Bauer, Garrett and Conner; by Office of the Governor request)  
 Authorizing the state employees' insurance board to disapprove certain panel medicine group plans.  
 Referred to Committee on State Government.

## MOTION

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

The House advanced to the sixth order of business.



## SECOND READING

HOUSE BILL NO. 600, by Representatives Grimm, Valle, Cole and Sanders  
Imposing an additional tax on cigarette sales.

The bill was read the second time.

Mr. Padden moved adoption of the following amendment by Representative Tilly:

On page 1, line 23 after "cigarette," insert "The revenue from the additional tax imposed under this subsection may only be spent after appropriation by statute, and only for the construction, remodeling, repair, renovation, furnishing, equipment, or other permanent improvement of facilities for the state community college system."

Representatives Padden, Tilly and Taylor spoke in favor of the amendment, and Mr. Grimm opposed it.

The amendment was not adopted.

Mr. Schoon moved adoption of the following amendment:

On page 1, after line 23 insert the following:

"(4) All moneys obtained as a result of section 1(3) of this 1985 act shall be expended upon programs to enhance K-12 education."

Mr. Schoon spoke in favor of the amendment, and Mr. Grimm opposed it.

The amendment was not adopted.

On motion of Mr. Hastings, the following amendment by Representatives Hastings and Zellinsky was adopted:

On page 1, line 25 following "1985" insert ", only if the federal excise tax on small cigarettes in effect on October 1, 1985, under 26 U.S.C. Sec. 5701(b)(1) is four dollars per thousand or less"

Mr. Tilly moved adoption of the following amendment:

On page 1, beginning on line 24 after "Sec. 2." strike everything through "1985." on line 25 and insert: "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 May 1, 1985."

Mr. Tilly spoke in favor of the amendment.

## POINT OF PARLIAMENTARY INQUIRY

Mr. Padden: "Mr. Speaker, since we've passed the amendment by Representative Hastings, could you please tell me what the effect will be on the effective date if this amendment is also passed?"

The Speaker: "Representative Padden, the effect of this would be that if the Tilly amendment is passed, it would negate the amendment by Representative Hastings."

Mr. Grimm spoke against the amendment, and it was not adopted.

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

Mr. Grimm spoke in favor of passage of the bill, and Mr. S. Wilson spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 600, and the bill passed the House by the following vote: Yeas, 74; nays, 24.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, McMullen, Miller, Nelson D, Niemi, Nutley, O'Brien, Patrick, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Tanner, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Sloep, Vekich, Walk, Walker, Wang, Williams B, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 74.

Voting nay: Representatives Barnes, Barrett, Bond, Chandler, Dobbs, Fuhrman, Gallagher, Lewis, Madsen, May, Nealey, Nelson G, Padden, Peery, Prince, Smith C, Sutherland, Taylor, Thomas, Tilly, West, Williams J, Wilson K, Wilson S - 24.

Engrossed House Bill No. 600, having received the 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. 796, by Representatives Valle, Hine, G. Nelson, P. King and Unsoeld

Requiring the department of ecology to report on Puget Sound water quality enforcement actions.

The bill was read the second time. On motion of Ms. Hine, Substitute House Bill No. 796 was substituted for House Bill No. 796, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 796 was read the second time.

On motion of Ms. Hine, the following amendment by Representatives Hine and G. Nelson was adopted:

On page 6, line 11 after "90.48.160." strike all material through "director." on page 11, line 11 and renumber the remaining sections consecutively.

On motion of Mr. Braddock, the following amendment by Representatives Braddock, Kremen, G. Nelson and Lundquist was adopted:

On page 12, after line 17 insert the following:

"Sec. 16. Section 4, chapter 160, Laws of 1971 ex. sess. and RCW 90.52.040 are each amended to read as follows:

In the administration of the provisions of chapter 90.48 RCW, the director of the department of ecology shall, regardless of the quality of the water of the state to which wastes are discharged or proposed for discharge, and regardless of the minimum water quality standards established by the director for said waters, require wastes to be provided with all known, available, and reasonable methods of treatment prior to their discharge or entry into waters of the state(:); PROVIDED, That the department shall have authority to concur with waivers from the uniform national requirements of secondary treatment and in making such decisions shall use the criteria specified in section 301(h) of the federal clean water act, to municipalities that discharge wastewaters into the marine waters of the state.

Sec. 17. Section 2, chapter 225, Laws of 1971 ex. sess. and RCW 90.54.020 are each amended to read as follows:

Utilization and management of the waters of the state shall be guided by the following general declaration of fundamentals:

(1) Uses of water for domestic, stock watering, industrial, commercial, agricultural, irrigation, hydroelectric power production, mining, fish and wildlife maintenance and enhancement, recreational, and thermal power production purposes, and preservation of environmental and aesthetic values, and all other uses compatible with the enjoyment of the public waters of the state, are declared to be beneficial.

(2) Allocation of waters among potential uses and users shall be based generally on the securing of the maximum net benefits for the people of the state. Maximum net benefits shall constitute total benefits less costs including opportunities lost.

(3) The quality of the natural environment shall be protected and, where possible, enhanced as follows:

(a) Perennial rivers and streams of the state shall be retained with base flows necessary to provide for preservation of wildlife, fish, scenic, aesthetic and other environmental values, and navigational values. Lakes and ponds shall be retained substantially in their natural condition. Withdrawals of water which would conflict therewith shall be authorized only in those situations where it is clear that overriding considerations of the public interest will be served.

(b) Waters of the state shall be of high quality. Regardless of the quality of the waters of the state, all wastes and other materials and substances proposed for entry into said waters shall be provided with all known, available, and reasonable methods of treatment prior to entry(:); PROVIDED, That the department shall have the authority to concur with waivers from the uniform national requirements of secondary treatment and in making such decisions shall use the criteria specified in section 301(h) of the federal clean water act, to municipalities that discharge wastewaters into the marine waters of the state. Notwithstanding that standards of quality established for the waters of the state would not be violated, wastes and other materials and substances shall not be allowed to enter such waters which will reduce the existing quality thereof, except in those situations where it is clear that overriding considerations of the public interest will be served.

(4) Adequate and safe supplies of water shall be preserved and protected in potable condition to satisfy human domestic needs.

(5) Multiple-purpose impoundment structures are to be preferred over single-purpose structures. Due regard shall be given to means and methods for protection of fishery resources in the planning for and construction of water impoundment structures and other artificial obstructions.

(6) Federal, state, and local governments, individuals, corporations, groups and other entities shall be encouraged to carry out practices of conservation as they relate to the use of the waters of the state.

(7) Development of water supply systems, whether publicly or privately owned, which provide water to the public generally in regional areas within the state shall be encouraged. Development of water supply systems for multiple domestic use which will not serve the public generally shall be discouraged where water supplies are available from water systems serving the public.

(8) Full recognition shall be given in the administration of water allocation and use programs to the natural interrelationships of surface and ground waters.

(9) Expressions of the public interest will be sought at all stages of water planning and allocation discussions.

(10) Water management programs, including but not limited to, water quality, flood control, drainage, erosion control and storm runoff are deemed to be in the public interest."

Representatives Braddock and Hine spoke in favor of the amendment, and it was adopted.

On motion of Mr. Braddock, the following amendments to the title were adopted:

On page 1, line 2 after "90.48.142" strike all material through "90.48.343" on page 1, line 4.

On page 1, line 4 after "90.48.343," strike "and 90.48.350" and insert "90.48.350, 90.52.040, and 90.54.020"

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 796, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Engrossed Substitute House Bill No. 796, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. J. King, the bills remaining on today's second reading calendar were rereferred to Committee on Rules.

#### MOTION

On motion of Mr. J. King, the House adjourned until 10:00 a.m., Monday, March 25, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk

## SEVENTY-FIRST DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Monday, March 25, 1985.

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

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Kim Flack and Karen Duggan. Prayer was offered by Reverend Jim Heer, St. Andrews United Presbyterian Church of Renton.

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

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

## RESOLUTION

HOUSE FLOOR RESOLUTION NO. 85-29, by Representatives Winsley and Walker

WHEREAS, It is the policy of the Legislature to recognize excellence in all fields of endeavor; and

WHEREAS, The boys' basketball team from Steilacoom High School has recently taken the State Class A Championship after spirited tournament play; and

WHEREAS, Through dedication, determination and plain hard work, they remain number one; and

WHEREAS, This is the second consecutive year that the Steilacoom Sentinels have this distinction; and

WHEREAS, The Steilacoom community has shown outstanding support and spirit for its victorious team; and

WHEREAS, Sparked by the leadership of coach Gary Wusterbarth, the Sentinels have demonstrated exemplary team work; and

WHEREAS, The members of the Sentinels stand out not only for their athletic ability, but also for their individual scholarship; and

WHEREAS, Their tournament victory crowns an outstanding season in which the Sentinels achieved a record of 16-0 in league play with a 23-2 record overall;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Steilacoom High School Sentinels and their coaching staff be commended on their superior accomplishment; and

BE IT FURTHER RESOLVED, That copies of this Resolution be transmitted by the Chief Clerk of the House of Representatives to the Sentinels Head Coach Gary Wusterbarth, Assistant Coach Bruce Hayes, Co-captains Jeff Staten and Rod Whatley, and team members Angel Sullivan, Bill Hart, Rob Martin, Dion Butler, Dwight Lago, Andy Wedding, John Schoenberg, Matt Burlingame, Gene McCollm and Scott Mahan, and managers Sean Schmidt, Ron Toves and Jason Harrell.

Ms. Winsley moved adoption of the resolution. Representatives Winsley and Walker spoke in favor of the resolution and it was adopted.

The House reverted to the fifth order of business.

## REPORTS OF STANDING COMMITTEES

March 22, 1985

ESSB 3431 Prime Sponsor, Committee on Energy & Utilities: Restricting local measured service telephone rates. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 12 after "shall" strike "not accept for filing or" and insert "neither accept for filing nor"

Signed by Representatives D. Nelson, Chair; Armstrong, Barnes, Isaacson, Long, Madsen, Miller, Nealey and Unsoeld.

Absent: Representatives Todd, Vice Chair; Bond, Gallagher, Jacobsen, Sutherland and Van Luven.

Passed to Committee on Rules for second reading.

March 22, 1985

ESSB 4196 Prime Sponsor, Committee on Commerce & Labor: Providing for special programs to assist the unemployed and underemployed. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Betrozoff, Chandler, Ebersole, Fisch, Fisher, R. King, O'Brien, Patrick, Sayan, C. Smith, Walker and J. Williams.

Absent: Representatives Ebersole, O'Brien and Patrick.

Referred to Committee on Ways & Means.

March 22, 1985

SB 4266 Prime Sponsor, Senator Williams: Modifying provisions on the energy facility site evaluation council. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass with the following amendment: On page 1, line 19 after "shall" insert ", with the concurrence of the council."

Signed by Representatives D. Nelson, Chair; Armstrong, Barnes, Isaacson, Long, Madsen, Miller, Nealey and Unsoeld.

Absent: Representatives Todd, Vice Chair; Bond, Gallagher, Jacobsen, Sutherland and Van Luven.

Passed to Committee on Rules for second reading.

March 22, 1985

SJM 108 Prime Sponsor, Senator Williams: Requesting the federal government to withdraw the proposal to modify payments of the Bonneville Power Administration. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass. Signed by Representatives D. Nelson, Chair; Armstrong, Barnes, Isaacson, Long, Madsen, Miller, Nealey, Sutherland and Unsoeld.

Absent: Representatives Todd, Vice Chair; Bond, Gallagher, Jacobsen and Van Luven.

Passed to Committee on Rules for second reading.

#### SECOND READING

SENATE BILL NO. 3040, by Senators Talmadge, Newhouse and von Reichbauer; by Department of Community Development and Office of The Code Reviser request Correcting obsolete references relating to the department of community development.

The bill was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3040, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey,

Nelson D. Nelson G. Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Hankins, Smitherman, Wineberry - 3.

Senate Bill No. 3040, having received the 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. 3041, by Senators Talmadge, Newhouse, Conner and Rasmussen; by Office of the Code Reviser request

Deleting obsolete statutory references and nomenclature from the Revised Code of Washington.

The bill was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Armstrong and West spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3041, and the bill passed the House by the following vote: Yeas, 94; nays, 1; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representative Vander Stoep - 1.

Excused: Representatives Hankins, Smitherman, Wineberry - 3.

Senate Bill No. 3041, having received the 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. 3072, by Senators Talmadge, Newhouse, Halsan and Moore

Making technical corrections and reenacting fiduciary provisions from the Washington trust act of 1984.

The bill was read the second time. Committee on Judiciary recommendation, majority, do pass as amended. (For amendments, see Journal, 43rd Day, February 25, 1985.)

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

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3072 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 1; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey,

Nelson D. Nelson G. Niemi. Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C. Smith L. Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vekich, Walk, Walker, Wang, West, Williams B. Williams J. Wilson K. Wilson S. Winsley, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representative Vander Sloep - 1.

Excused: Representatives Hankins, Smitherman, Wineberry - 3.

Senate Bill No. 3072 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 3073, by Senators Talmadge, Newhouse, Halsan and Moore

Making technical corrections and reenacting wills provisions from the Washington trust act of 1984.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal, 43rd Day, February 25, 1985.)

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

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3073 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Hankins, Smitherman, Wineberry - 3.

Senate Bill No. 3073 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 3074, by Senators Halsan, Newhouse, Talmadge and Moore

Reenacting and changing partnership provisions from the Washington trust act of 1984.

The bill was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3074, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Sommers, Sutherland, Tanner,

Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Hankins, Smitherman, Wineberry - 3.

Senate Bill No. 3074, having received the 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. 3075, by Senators Halsan, Newhouse, Talmadge and Moore  
Reenacting declaratory judgment provisions from the Washington trust act of 1984.

The bill was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3075, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Hankins, Smitherman, Wineberry - 3.

Senate Bill No. 3075, having received the 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. 3076, by Senators Talmadge, Newhouse, Halsan and Moore  
Establishing a two-dollar filing fee for the nonjudicial resolution of certain trust provisions.

The bill was read the second time. Committee on Judiciary recommendation: Majority: Do pass as amended. (For amendment, see Journal, 40th Day, February 22, 1985.)

Mr. Armstrong moved adoption of the committee amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the Committee on Judiciary amendment to Senate Bill No. 3076, and the amendment was adopted by the following vote: Yeas, 94; absent, 1; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 94.

Absent: Representative Basich - 1.

Excused: Representatives Hankins, Smitherman, Wineberry - 3.



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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3076 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brække, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Hankins, Smitherman, Wineberry - 3.

Senate Bill No. 3076 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 3077, by Senators Halsan, Newhouse, Talmadge and Moore

Reenacting and changing joint tenancy provisions from the Washington trust act of 1984.

The bill was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3077, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brække, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Hankins, Smitherman, Wineberry - 3.

Senate Bill No. 3077, having received the 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. 3078, by Senators Talmadge, Newhouse, Halsan and Moore

Reenacting statute of limitations provisions from the Washington trust act of 1984.

The bill was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3078, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Hankins, Smitherman, Wineberry - 3.

Senate Bill No. 3078, having received the 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. 3131, by Committee on Natural Resources (originally sponsored by Senators Thompson, Owen, Johnson and Zimmerman)

Permitting the sale or transfer of dredge spoil or materials from certain rivers free of any interest of the department of natural resources.

The bill was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3131, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Hankins, Smitherman, Wineberry - 3.

Substitute Senate Bill No. 3131, having received the 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. 3270, by Senators McDermott, Warnke and Thompson; by Department of Retirement Systems request

Modifying tax deferral benefits under public retirement systems.

The bill was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3270, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough,

Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Hankins, Smitherman, Wineberry - 3.

Senate Bill No. 3270, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Smitherman appeared at the bar of the House.

### SENATE AMENDMENTS TO HOUSE BILL

March 21, 1985

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 386 with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. A supplemental budget as set forth in this act is hereby adopted and, subject to the provisions set forth in this act, the several amounts specified in this act, 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 designated agencies and offices of the state and for other specified purposes for the fiscal biennium beginning July 1, 1983, and ending June 30, 1985, except as otherwise provided, out of the several funds of the state hereinafter named, and making other appropriations.

#### PART I

##### GENERAL GOVERNMENT

Sec. 101, Section 2, chapter 76, Laws of 1983 1st ex. sess. as amended by section 101, chapter 285, Laws of 1984 (uncodified) is amended to read as follows:

##### FOR THE HOUSE OF REPRESENTATIVES

General Fund Appropriation ..... \$ ~~((22,387,000))~~  
27,035,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$400,000 or the portion thereof that is determined necessary by the house of representatives shall be allocated for, but not limited to, providing furnishings and equipment for new hearing room and office renovations.

(2) \$25,000 is provided solely for the joint committee on science and technology for the purposes of the production of an environmental study on the state-leased low-level radioactive waste site at Hanford, Washington.

Sec. 102, Section 3, chapter 76, Laws of 1983 1st ex. sess. as amended by section 102, chapter 285, Laws of 1984 (uncodified) is amended to read as follows:

##### FOR THE SENATE

General Fund Appropriation ..... \$ ~~((20,044,000))~~  
23,044,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$185,000 or the portion thereof that is determined necessary by the senate shall be allocated for, but not limited to, providing furnishings and equipment for new hearing room and office renovations.

(2) \$25,000 is provided solely for the joint committee on science and technology for the environmental study described in section 2(2) of this act.

Sec. 103, Section 15, chapter 76, Laws of 1983 1st ex. sess. as amended by section 114, chapter 285, Laws of 1984 (uncodified) is amended to read as follows:

##### FOR THE SECRETARY OF STATE

General Fund Appropriation ..... \$ ~~((6,685,000))~~  
6,734,000

General Fund—Archives and Records Management Account

Appropriation ..... \$ 1,310,000  
Total Appropriation ..... \$ ~~((7,995,000))~~  
8,044,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$789,000 is provided solely to reimburse counties for the state's share of primary and general election costs and the costs of conducting mandatory recounts on state measures:

PROVIDED, That the secretary of state review, audit and approve as accurate the costs incurred by the counties.

(2) \$1,912,000 is provided solely to reimburse counties for the state's share of election costs attributable under RCW 29.13.045 to the 1983 special primary and vacancy election for the office of United States Senator: PROVIDED, That the secretary of state review, audit, and approve as accurate the costs incurred by the counties.

(3) \$1,558,000 is provided solely for the verification of initiative and referendum petitions and the maintenance of related voter registration records, legal advertising of state measures, and the publication and distribution of the voters and candidates pamphlet.

Sec. 104. Section 17, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE COMMISSION ON ASIAN-AMERICAN AFFAIRS

General Fund Appropriation .....	\$	<del>((124,000))</del>
		<u>133,000</u>

NEW SECTION, Sec. 105. FOR THE OFFICE OF FINANCIAL MANAGEMENT

General Fund Appropriation .....	\$	20,939,000
----------------------------------	----	------------

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for deposit by the state treasurer in the common school construction fund at the direction of the director of financial management if and to the extent that the office of financial management determines that sufficient revenue is available to ensure that the state general fund ending balance is positive.

Sec. 106. Section 24, chapter 76, Laws of 1983 1st ex. sess. as amended by section 118, chapter 285, Laws of 1984 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF PERSONNEL

General Fund Appropriation .....	\$	60,000
Department of Personnel Service Fund Appropriation .....	\$	<del>((6,753,000))</del>
		<u>8,813,000</u>
State Employees' Insurance Fund Appropriation .....	\$	1,542,000
Total Appropriation .....	\$	<del>((10,355,000))</del>
		<u>10,415,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$45,000 from the department of personnel service fund is provided solely for a comparative study, jointly funded with the department of retirement systems and the higher education personnel board, of part-time employee policy and benefits. This study shall be directed to other states and representative private colleges and universities and private sector service-related enterprises as to their practices and policies for shared work, phased retirement, health care benefits, retirement allowances, and other related issues. A report shall be made to the legislature not later than December 21, 1984, containing findings and recommendations.

(2) \$60,000 of the general fund appropriation is provided solely for the department of personnel to conduct a study for the purpose of reviewing and formulating ways to implement comparable worth in accordance with chapter 75, Laws of 1983 1st ex. sess. The department shall coordinate the study with the higher education personnel board and its study on comparable worth implementation. During the course of the study, the department shall report to the joint select committee on comparable worth on the study's progress. The department shall report back to the legislature no later than January 1, 1985, with potential implementation alternatives.

(3) \$60,000 of the department of personnel service fund appropriation is provided solely for legal services for comparable worth litigation.

Sec. 107. Section 27, chapter 76, Laws of 1983 1st ex. sess. as amended by section 119, chapter 285, Laws of 1984 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF REVENUE

General Fund Appropriation .....	\$	<del>((43,054,000))</del>
		<u>43,573,000</u>
General Fund—State Timber Tax Reserve Account Appropriation .....	\$	2,851,000
Motor Vehicle Fund Appropriation .....	\$	115,000
Total Appropriation .....	\$	<del>((46,020,000))</del>
		<u>46,539,000</u>

The appropriations in this section are subject to the following conditions and limitations: If the state timber tax reserve account is abolished and a timber excise tax account is established, the appropriation from the state timber tax reserve account shall be made from the timber excise tax account to the extent that moneys in the state timber tax reserve account are insufficient for the appropriation.

Sec. 108. Section 36, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE CEMETERY BOARD

General Fund—Cemetery Account Appropriation .....	\$	<del>((74,000))</del>
		<u>86,000</u>

Sec. 109. Section 37, chapter 76, Laws of 1983 1st ex. sess. as amended by section 126, chapter 285, Laws of 1984 (uncodified) is amended to read as follows:

FOR THE HORSE RACING COMMISSION

Horse Racing Commission Fund Appropriation ..... \$ ~~(3,400,000)~~  
3,063,000

The appropriation in this section is subject to the following conditions and limitations:

(1) If there are more than seven hundred two racing days during the fiscal biennium ending June 30, 1985, the governor is authorized to allocate such additional moneys from the horse racing commission fund as may be required.

(2) \$15,076 is provided solely for special audit of Yakima Meadows costs.

PART II

HUMAN SERVICES

NEW SECTION. Sec. 201. FOR THE DEPARTMENT OF CORRECTIONS

General Fund Appropriation—State ..... \$ 277,601,000  
General Fund—Institutional Impact Account Appropriation ..... \$ 865,000  
General Fund Appropriation—Federal ..... \$ 700,000  
General Fund—Charitable, Educational Penal and Reformatory  
Institutions Account Appropriation ..... \$ 1,053,000  
Total Appropriation ..... \$ 280,219,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$2,153,000 from the general fund appropriation is provided solely for the treatment alternatives to street crime programs in King, Pierce, Snohomish, Spokane, Clark, and Yakima counties.

(2) \$1,053,000 from the general fund charitable, educational penal and reformatory institutions account appropriation is provided solely for an environmental impact statement and design work for the McNeil Island ferry slip.

(3) It is the intent of the legislature that the appropriations in this section be spent as provided in this subsection. The department may spend money appropriated in this section in a manner other than as provided in this subsection only after notifying the ways and means committees of the senate and house of representatives of the planned deviation from this subsection. The amounts appropriated by this section and specified in this subsection represent the total spending authority for the department for the 1983-85 biennium and reflect the amounts previously appropriated to the department by the section repealed by section 202 of this act.

GENERAL FUND—

STATE

TOTAL

COMMUNITY SERVICES

Treatment Alternatives to Street Crime	2,153,000	2,153,000
Community Diversion	236,000	236,000
Crime Victims and Witness Notification	175,000	175,000
Probation and Parole	25,216,000	25,216,000
Intensive Parole	3,985,000	3,985,000
Work Release Facilities	20,612,000	20,612,000
State Directors Office	873,000	873,000
Subtotal	53,250,000	53,250,000

INSTITUTIONAL SERVICES

Correctional Facilities Operations	205,571,000	206,271,000
McNeil Island Ferry Slip		1,053,000
Subtotal	205,571,000	207,324,000

ADMINISTRATION

Headquarters	13,850,000	13,850,000
One Time Institutional Impact Claims		865,000
Subtotal	13,850,000	14,715,000

INSTITUTIONAL INDUSTRIES

State Subsidy	4,930,000	4,930,000
Subtotal	4,930,000	4,930,000
Total	\$ 277,601,000	\$ 280,219,000

NEW SECTION. Sec. 202. Section 51, chapter 76, Laws of 1983 1st ex. sess., section 201, chapter 285, Laws of 1984 (uncodified) is repealed.

NEW SECTION. Sec. 203. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

General Fund Appropriation—State	\$ 1,731,230,000
General Fund Appropriation—Federal	\$ 1,250,585,000
General Fund Appropriation—Local	\$ 5,394,000
General Fund Appropriation—State and Local Improvements Revolving Account—Water supply facilities: Appropriated pursuant to chapter 128, Laws of 1972 ex. sess. (Referendum 27); chapter 258, Laws of 1979 ex. sess. (chapter 43.99D RCW); and chapter 234, Laws of 1979 ex. sess. (Referendum 38)	\$ 20,000,000

General Fund Appropriation—State and Local Improvements Revolving Account—Water supply facilities: Appropriated pursuant to chapter 128, Laws of 1972 ex. sess. (Referendum 27); chapter 258, Laws of 1979 ex. sess. (chapter 43.99D RCW); and chapter 234, Laws of 1979 ex. sess. (Referendum 38)—Reapportionation . . . . .	\$	21,826,000
General Fund—Institutional Impact Account Appropriation . . . . .	\$	75,000
Total Appropriation . . . . .	\$	3,029,110,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Up to \$992,000 of the juvenile rehabilitation institutional services funds may be expended to erect fences at Green Hill and Maple Lane schools.

(2) The department shall adopt by rule medical criteria for general assistance eligibility to ensure that eligibility determinations are consistent with statutory requirements and are based on clear, objective medical information.

(a) The process implementing such medical criteria shall involve consideration of opinions of the treating or consulting physicians or health care professionals regarding incapacity, and any eligibility decision which rejects uncontradicted medical opinion must set forth clear and convincing reasons for doing so.

(b) Recipients of general assistance who remain otherwise eligible shall not have their benefits terminated absent a clear showing of material improvement in their medical or mental condition or specific error in the prior determination that found the recipient eligible by reason of incapacitation.

(3) The department of social and health services shall continue the program of aid to families with dependent children for two-parent families through June 30, 1985.

(4) \$289,000, of which \$261,000 is from the general fund—state appropriation, is provided solely to increase the safety and quality of care of children in level 2 and level 3 children's group homes.

(5) It is the intent of the legislature that the appropriations in this section be spent as provided in this subsection. The department may spend money appropriated in this section in a manner other than as provided in this subsection only after notifying the ways and means committees of the senate and house of representatives of the planned deviation from this subsection. The amounts appropriated by this section and specified in this subsection represent the total spending authority for the department for the 1983-85 biennium and reflect the amounts previously appropriated to the department by the sections repealed by section 204 of this act.

GENERAL FUND—

	STATE	TOTAL
<b>JUVENILE REHABILITATION</b>		
Community Services	25,210,000	25,264,000
Institutional Services	39,871,000	40,659,000
Program Support	2,395,000	2,395,000
Subtotal	67,476,000	68,318,000
<b>MENTAL HEALTH</b>		
Community Services	82,670,000	114,317,000
Institutional Services	107,981,000	112,311,000
Program Support	2,845,000	3,443,000
Special Projects	0	38,000
Subtotal	193,496,000	230,109,000
<b>DEVELOPMENTAL DISABILITIES</b>		
Community Services	51,318,000	96,862,000
Institutional Services	93,871,000	161,780,000
Program Support	3,857,000	4,441,000
Special Projects	315,000	1,506,000
Subtotal	149,361,000	264,589,000
<b>LONG TERM CARE SERVICES</b>		
Nursing Homes	162,484,000	322,831,000
Senior Citizens Services Act	14,112,000	14,112,000
Chore Services	18,977,000	46,695,000
Community Options Program	5,000,000	10,000,000
Older Americans Act	0	20,303,000
Adult Day Health	322,000	633,000
Nursing Home Discharge	31,000	31,000
Congregate Care	7,054,000	7,054,000
Adult Family Homes	2,663,000	2,663,000
Administration	5,930,000	10,714,000
Subtotal	216,573,000	435,036,000
<b>INCOME ASSISTANCE</b>		
Refugee Assistance	0	18,133,000

	GENERAL FUND— STATE	TOTAL
Aid to Families with Dependent Children—Regular	235,435,000	494,292,000
Aid to Families with Dependent Children—Employable	23,199,000	46,398,000
Supplemental Security Income Payments	39,721,000	39,721,000
General Assistance—Unemployable	65,227,000	65,683,000
General Assistance—Pregnant Women	3,425,000	3,425,000
Consolidated Emergency Assistance	4,424,000	8,848,000
Burial Assistance	2,768,000	2,768,000
Employment and Training Services	990,000	1,871,000
Work Incentive Program	279,000	2,788,000
Subtotal	375,468,000	683,927,000
COMMUNITY SOCIAL SERVICES		
Domestic Violence Program	1,128,000	1,128,000
Foster Care Payments	35,557,000	40,917,000
Child Care Payments	11,047,000	13,805,000
Adoption Support Services	4,309,000	5,388,000
Family Reconciliation Services	1,925,000	2,970,000
Interim Care	8,553,000	9,749,000
Alcoholism Grants	11,299,000	14,927,000
Deloxification	5,749,000	6,268,000
Substance Abuse Grants	3,892,000	9,072,000
Congregate Care	8,554,000	8,554,000
Refugee Services	0	3,800,000
Subtotal	92,013,000	116,578,000
MEDICAL ASSISTANCE	384,991,000	643,017,000
PUBLIC HEALTH	38,588,000	139,191,000
VOCATIONAL REHABILITATION	11,228,000	39,630,000
ADMINISTRATION & SUPPORT	55,318,000	93,153,000
COMMUNITY SERVICES ADMIN.	135,117,000	278,867,000
REVENUE COLLECTIONS	11,601,000	36,695,000
Total	\$ 1,731,230,000	\$ 3,029,110,000

## NEW SECTION. Sec. 204. The following acts or parts of acts are each repealed:

- (1) Section 53, chapter 76, Laws of 1983 1st ex. sess., section 203, chapter 285, Laws of 1984 (uncodified);
- (2) Section 54, chapter 76, Laws of 1983 1st ex. sess., section 204, chapter 285, Laws of 1984 (uncodified);
- (3) Section 55, chapter 76, Laws of 1983 1st ex. sess., section 205, chapter 285, Laws of 1984 (uncodified);
- (4) Section 56, chapter 76, Laws of 1983 1st ex. sess., section 206, chapter 285, Laws of 1984 (uncodified);
- (5) Section 57, chapter 76, Laws of 1983 1st ex. sess., section 207, chapter 285, Laws of 1984 (uncodified);
- (6) Section 58, chapter 76, Laws of 1983 1st ex. sess. (uncodified);
- (7) Section 59, chapter 76, Laws of 1983 1st ex. sess., section 208, chapter 285, Laws of 1984 (uncodified);
- (8) Section 60, chapter 76, Laws of 1983 1st ex. sess., section 209, chapter 285, Laws of 1984 (uncodified);
- (9) Section 61, chapter 76, Laws of 1983 1st ex. sess., section 210, chapter 285, Laws of 1984 (uncodified);
- (10) Section 62, chapter 76, Laws of 1983 1st ex. sess., section 211, chapter 285, Laws of 1984 (uncodified);
- (11) Section 63, chapter 76, Laws of 1983 1st ex. sess., section 212, chapter 285, Laws of 1984 (uncodified); and
- (12) Section 64, chapter 76, Laws of 1983 1st ex. sess., section 213, chapter 285, Laws of 1984 (uncodified).

Sec. 205. Section 65, chapter 76, Laws of 1983 1st ex. sess. as amended by section 214, chapter 285, Laws of 1984 (uncodified) is amended to read as follows:

## FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—REAPPROPRIATIONS

General Fund Appropriation—State	\$	<del>(31,857,000)</del>
		34,057,000
General Fund Appropriation—Federal	\$	21,875,000
General Fund Appropriation—Local	\$	66,000
Total Appropriation	\$	<del>(53,798,000)</del>
		55,998,000

The appropriations in this section are subject to the following conditions and limitations: These general fund reappropriations shall be for services and supplies not in excess of the unexpended balances of the 1981-1983 appropriations for such purposes.

Sec. 206. Section 71, chapter 76, Laws of 1983 1st ex. sess. as amended by section 219, chapter 285, Laws of 1984 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LABOR AND INDUSTRIES

General Fund Appropriation—State	\$	5,749,000
General Fund—Crime Victims Compensation Account Appropriation	\$	7,345,000
Accident Fund Appropriation—State	\$	<del>((56,539,000))</del>
		50,579,000
Accident Fund Appropriation—Federal	\$	51,000
Electrical License Fund Appropriation	\$	5,347,000
Medical Aid Fund Appropriation	\$	<del>((48,354,000))</del>
		49,394,000
Plumbing Certificate Fund Appropriation	\$	255,000
Pressure Systems Safety Fund Appropriation	\$	<del>((750,000))</del>
		858,000
Worker and Community Right to Know Fund Appropriation	\$	56,000
Total Appropriation	\$	<del>((118,398,000))</del>
		119,634,000

The appropriations in this section are subject to the following conditions and limitations:

(1) General fund expenditures for the building and construction program together with associated indirect cost and salary increase costs shall not exceed general fund revenue from the building and construction program.

(2) Not more than \$50,000 of the accident fund appropriation and \$50,000 of the medical aid fund appropriation shall be expended for a study of the feasibility of consolidating the department's Olympia-area offices in one building, including the options of leasing, acquiring, or constructing such building. No state general fund moneys may be expended for this study.

(3) \$41,822 of the worker and community right to know fund appropriation is provided solely to reimburse the governor's emergency fund allocation.

(4) \$40,000 of the accident fund appropriation and \$40,000 of the medical aid fund appropriation are provided solely for planning services in connection with the expected development in the 1985-87 biennium of a medical services utilization analysis system.

PART III

NATURAL RESOURCES

Sec. 301. Section 89, chapter 76, Laws of 1983 1st ex. sess. as amended by section 307, chapter 285, Laws of 1984 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES

General Fund Appropriation—State	\$	<del>((27,065,000))</del>
		27,395,000
General Fund Appropriation—Federal	\$	451,000
General Fund—ORV (Off-Road Vehicle) Account Appropriation	\$	2,311,000
General Fund—Forest Development Account Appropriation	\$	10,373,000
General Fund—Landowner Contingency Forest Fire Suppression Account Appropriation	\$	1,539,000
General Fund—Survey and Maps Account Appropriation	\$	671,000
General Fund—Resource Management Cost Account Appropriation	\$	60,692,000
General Fund—Geothermal Account Appropriation	\$	76,000
Total Appropriation	\$	<del>((103,178,000))</del>
		103,508,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,100,000 of the general fund—state appropriation is provided solely to carry out the purposes of chapter 40, Laws of 1983 1st ex. sess.: PROVIDED, That for that enrollment period which begins after March 1, 1984, the average cost per enrollee shall not be greater than \$8,300, inclusive of wages and administration, equipment, transportation, and residence costs: PROVIDED FURTHER, That, if this amount is exceeded, the remaining funds of the amount specified in this subsection shall revert to the general fund.

(2) \$50,000 of the general fund—state appropriation is provided solely to conduct a study of the continuous transfer of material and products across state lands.

(3) \$~~((438,000))~~ 475,000 of the general fund—state appropriation shall be used solely for the department of natural resources to move from the ~~((house office and))~~ public lands building~~((s))~~ and vacate the house office building.

(4) Not more than \$843,000 of the general fund—state appropriation shall be used to fund ten additional honor camp teams.

(5) \$196,000 of the general fund—state appropriation is provided solely for costs incurred by Skamania county in Skamania v. State, 102 Wn.2d 127 (1984).



(6) \$62,000 of the general fund—state appropriation is provided solely for costs incurred by the department in *Skamania v. State*, 102 Wn.2d 127 (1984).

(7) \$50,000 of the resource management cost account appropriation is provided solely for a feasibility study of trust acquisition and leasing of winter recreation sites.

Sec. 302. Section 90, chapter 76, Laws of 1983 1st ex. sess. as amended by section 308, chapter 285, Laws of 1984 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF AGRICULTURE

General Fund Appropriation—State	\$	<del>((11,271,000))</del>
		11,496,000
General Fund Appropriation—Federal	\$	626,000
General Fund—Feed and Fertilizer Account Appropriation	\$	17,000
Fertilizer, Agricultural, Mineral and Lime Fund Appropriation	\$	360,000
Commercial Feed Fund Appropriation—State	\$	361,000
Commercial Feed Fund Appropriation—Federal	\$	13,000
Seed Fund Appropriation	\$	1,011,000
Nursery Inspection Fund Appropriation	\$	449,000
Total Appropriation	\$	<del>((14,100,000))</del>
		14,333,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$156,000 from the general fund—state appropriation shall be used to enhance the pesticide field investigations.

(2) \$60,000 from the general fund—state appropriation shall be used to enhance consumer services within the agricultural development program.

(3) \$300,000 from the general fund—state appropriation shall be used to establish a marketing program for the Washington wine industry and the department of agriculture shall present a proposal to the forty-ninth legislature which establishes a wine commodity commission.

(4) \$600,000 from the general fund—state appropriation shall be used solely for carrying out the purposes of chapter 40, Laws of 1983 1st ex. sess.; PROVIDED, That for that enrollment period which begins after March 1, 1984, the average cost per enrollee shall not be greater than \$8,300, inclusive of wages and administration, equipment, transportation, and residence costs; PROVIDED FURTHER, That, if this amount is exceeded, the remaining funds of the amount specified in this subsection shall revert to the general fund.

(5) \$104,000 is provided solely for a food bank coordinator and related costs.

(6) ~~\$((475,000))~~ 700,000 of the general fund—state appropriation is provided solely for the gypsy moth and apple maggot detection and control program. The additional \$225,000 of the General Fund—State appropriation is provided solely for the apple maggot detection and control program. Aerial gypsy moth eradication shall be limited to biological control agents.

Sec. 303. Section 310, chapter 285, Laws of 1984 (uncodified) is amended to read as follows:

FOR THE EXPO '86 COMMISSION

General Fund—State Appropriation	\$	<del>((320,000))</del>
		573,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$130,000 is provided solely for operational purposes.

(2) \$190,000 of the appropriation is provided solely for the initial planning and design for exhibition space and facilities for Washington state participation in the exposition, provided that not more than \$10,000 of this amount shall be spent on studies and specifications relating to the use of a ferry-type vessel as a part of the exhibition space.

PART IV

TRANSPORTATION

Sec. 401. Section 94, chapter 76, Laws of 1983 1st ex. sess. as amended by section 402, chapter 285, Laws of 1984 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING

General Fund Appropriation	\$	12,798,000
General Fund—Architects' License Account Appropriation	\$	373,000
General Fund—Optometry Account Appropriation	\$	119,000
General Fund—Professional Engineers' Account Appropriation	\$	602,000
General Fund—Real Estate Commission Account Appropriation	\$	4,591,000
General Fund—Board of Psychological Examiners Account Appropriation	\$	66,000
General Fund—Medical Disciplinary Account Appropriation	\$	172,000
Game Fund Appropriation	\$	187,000
Highway Safety Fund Appropriation	\$	38,415,000
Highway Safety Fund—Motorcycle Safety Education Account Appropriation	\$	237,000
Motor Vehicle Fund Appropriation	\$	35,233,000
Total Appropriation	\$	<del>((92,621,000))</del>
		92,793,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$450,000 of the general fund appropriation is provided solely for the design and development of a Uniform Commercial Code automated lien filing and search system. If other legislation authorizing expenditures for a Uniform Commercial Code automated lien filing and search system is enacted before July 1, 1983, the general fund—state appropriation in this section shall be reduced by the amount actually expended under the other legislation.

(2) \$66,446 is provided solely for the department of licensing to employ competent persons on a temporary basis to assist the dental hygiene examination committee in conducting examinations for dental hygiene licensure. The dental hygiene examination committee shall be reimbursed pursuant to RCW 43.03.050.

(3) If House Bill No. 1698 or similar legislation delaying the implementation of chapter 72, Laws of 1983, is enacted prior to July 1, 1984, the motor vehicle fund state appropriation shall be reduced by \$510,000.

(4) \$1,833,000 of the highway safety fund appropriation is provided solely for the purposes of chapter 165, Laws of 1983, and is subject to the following conditions and limitations:

(a) \$478,000 of the amount in this subsection (4) is provided solely for attorney general services. No other moneys may be spent for this purpose.

(b) The department of licensing shall maintain complete and separate accounting and reporting systems for expenditures under this subsection (4).

(c) If Substitute House Bill No. 977, or other legislation delaying the effective date of section 47, chapter 165, Laws of 1983, is enacted before July 1, 1984, the amounts provided in this subsection (4) shall lapse. The appropriation contained in this subsection (4) shall be reduced to \$180,000 if legislation is enacted which delays the effective date of section 47, chapter 165, Laws of 1983 and establishes a program that requires the following:

(i) Confiscation of a driver's license at the time of arrest for a violation of RCW 46.61.402 or 46.61.405; and

(ii) Issuance of a temporary license by the arresting officer.

PART V  
EDUCATION

Sec. 501. Section 97, chapter 76, Laws of 1983 1st ex. sess. as amended by section 502, chapter 285, Laws of 1984 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—BASIC EDUCATION FORMULA FOR FISCAL YEARS 1984 AND 1985  
General Fund Appropriation ..... \$ ~~(2,917,618,000)~~  
2,897,381,000

The appropriation in this section is subject to the following conditions and limitations:

(1) As a condition to the allocation of funds to school districts appropriated pursuant to this section, the superintendent of public instruction shall require school districts to ensure that no salary and compensation increases for the 1984-85 school year from any fund source whatsoever are in excess of those amounts for state recognized increments, insurance benefit increases, and/or for those identified salary increases as specified in this act: PROVIDED, That any state recognized increment increase, insurance benefit increase, and/or salary increase found to be greater than that specified in this act shall be in violation of the conditions to the receipt of funds appropriated in this act for school districts; therefore, the superintendent of public instruction shall withhold an amount equal to the level of the violation when applied to the district's respective basic education allocation, unless or until such time as the school district comes into compliance: PROVIDED FURTHER, That the superintendent of public instruction shall additionally require school districts to ensure that no recognized group of employees as identified in RCW 28A.58.095 shall increase their relative total salary or insurance benefit position at the expense of any other recognized group of employees using the district's authorized total salary and benefit increase allocation for the 1984-85 school year. Any such group of employees which has clear and convincing evidence that its district is in violation of this proviso may present such clear and convincing evidence in a challenge to the superintendent of public instruction, who shall determine the validity of the group's challenge. If sustained, the district shall be deemed in violation of the conditions to the receipt of funds appropriated in this act for school districts and the superintendent of public instruction shall withhold an amount in addition to any funds withheld pursuant to the preceding provision equal to the level of the violation when applied to the district's respective basic education allocation, unless or until such time as the school district comes into compliance.

(2) Formula allocation of certificated staff units shall be determined as follows:

(a) One certificated staff unit for each average annual twenty full time equivalent kindergarten, elementary, and secondary students, excluding secondary vocational full time equivalent students enrolled in a vocational program approved by the superintendent of public instruction and excluding full time equivalent handicapped enrollment calculated in accordance with LEAP Document 6.

(b) One certificated staff unit for each average annual eighteen and three-tenths full time equivalent students enrolled in a vocational education program approved by the superintendent of public instruction: PROVIDED, That in skill centers, the ratio shall be one certificated

staff unit for each average annual sixteen and sixty-seven one-hundredths full time equivalent students enrolled in an approved vocational education program.

(c) For districts enrolling not more than one hundred average annual full time equivalent students (except as otherwise specified) and for small school plants within any school district, which small plants have been judged to be remote and necessary by the state board of education, certificated staff units shall be determined as follows:

(i) For grades K-6, for enrollments of not more than sixty annual average full time equivalent students, three certificated staff units;

(ii) For grades K-6, for enrollments above sixty annual average full time equivalent students, additional certificated staff units based upon a ratio of one certificated staff unit per twenty annual average full time equivalent students;

(iii) For grades 7 and 8, for enrollments of not more than twenty annual average full time equivalent students, one certificated staff unit;

(iv) For grades 7 and 8, for enrollment above twenty annual average full time equivalent students, additional certificated staff units based upon a ratio of one certificated staff unit per twenty annual average full time equivalent students;

(v) For each nonhigh school district having an enrollment of more than seventy annual average full time equivalent students and less than one hundred eighty students, operating a K-8 program or 1-8 program, an additional one-half of a certificated staff unit;

(vi) For each nonhigh school district having an enrollment of more than fifty annual average full time equivalent students and less than one hundred eighty students, operating a K-6 or 1-6 program, an additional one-half of a certificated staff unit.

(d) For districts operating high schools with enrollments of not more than three hundred average annual full time equivalent students, certificated staff units shall be determined as follows:

(i) Nine and one-half certificated staff units for the first sixty annual average full time equivalent students;

(ii) Additional certificated staff units based upon a ratio of one certificated staff unit per forty-three and one-half average annual full time equivalent students.

(3) (a) For nonemployee related costs with each certificated staff unit determined under subsection (2) (a), (c), and (d) of this section, there shall be provided a maximum of \$5,287 per staff unit in the 1983-84 school year and a maximum of \$5,462 per staff unit in the 1984-85 school year.

(b) For nonemployee related costs with each certificated staff unit determined under subsection (2)(b) of this section, there shall be provided a maximum of \$10,074 per staff unit in the 1983-84 school year and a maximum of \$10,408 per staff unit in the 1984-85 school year.

(4) Formula allocation of classified staff units shall be determined as follows:

(a) One classified staff unit per each three certificated staff units determined under subsection (2) (a), (c), and (d) of this section;

(b) One classified staff unit for each sixty full time equivalent vocational students enrolled; and

(c) For each nonhigh school district with an enrollment of more than fifty annual average full time equivalent students and less than one hundred eighty students, an additional one-half of a classified staff unit.

(5) The superintendent shall distribute a maximum of ~~\$(+7,086,000)~~ 15,629,000 outside the basic education formula as follows:

(a) A maximum of ~~\$(636,000)~~ 601,000 may be distributed to school districts for fire protection at a rate of \$1.056 in fiscal year 1984 and \$1.119 in fiscal year 1985 for each student attending a school located in a fire protection district as now or hereafter established pursuant to chapter 52.04 RCW.

(b) A maximum of ~~\$(+656,000)~~ 1,120,000 may be expended for operation of vocational programs at each of the skill centers during the summer months, beginning in 1983.

(c) A maximum of ~~\$(272,000)~~ 141,000 may be distributed for school district emergencies.

(d) A maximum of ~~\$(3,613,000)~~ 2,901,000 may be expended for districts which experience an enrollment decline of at least four percent or more than three hundred full time equivalent students, whichever is less, from the enrollment of the prior year. For a qualifying district, the superintendent of public instruction shall increase the enrollment as otherwise computed by twenty-five percent of the full time equivalent enrollment loss from the previous school year.

(e) A maximum of ~~\$(3,720,000 in fiscal year 1984 and \$7,197,000 in fiscal year 1985)~~ 10,866,000 may be expended for substitute teachers. Funds shall be distributed to school districts at a rate not to exceed \$150 per year per full time equivalent classroom teacher in the basic education and handicapped programs for 1983-84 and \$250 per year for 1984-85.

(6) For the 1982-83 school year, if a school district is in violation of RCW 28A.58.095 the superintendent shall withhold the lesser of five percent or an amount equal to the level of violation, applied to the district's basic education allocation.

(7) Notwithstanding the limitations contained in subsection (1) of this section, any superintendent's position and salary and compensation shall be eliminated for the purpose of determining compliance with the provisions set forth in this section if any two school districts jointly

employ a single superintendent and reduce their respective superintendent positions in 1984-85 from full-time to half-time. For 1984-85, the superintendent of public instruction shall modify LEAP Document 5 to reflect the change in each superintendent's position in the two school districts from full-time to half-time but only to the extent such adjustment does not recognize a 1984-85 salary level that exceeds the combined total of the two superintendents' salaries in 1983-84.

Sec. 502, Section 103, chapter 76, Laws of 1983 1st ex. sess. as amended by section 505, chapter 285, Laws of 1984 (unmodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—SALARY AND COMPENSATION INCREASES**

General Fund Appropriation . . . . . \$ 77,328,000

The appropriation in this section is subject to the following conditions and limitations:

(1) Increases provided by this section shall be included for purposes of calculating the levy lid pursuant to chapter 84.52 RCW.

(2) Salary and insurance benefit increase funds provided by this section shall be distributed by the superintendent of public instruction as specified in this section on an allocation basis only and may be expended by school districts for any state-funded activity.

(3) A maximum of \$26,311,000 shall be distributed for insurance benefit increases for full time equivalent state-supported staff as defined in section 98(1) of this act at a rate of \$22 per month per full time equivalent staff unit in the 1983-84 school year and such amount shall be maintained in the 1984-85 school year.

(4) A maximum of \$4,286,000 shall be distributed in the 1984-85 ((school)) fiscal year for insurance benefit increases for full time equivalent state-supported staff as defined in section 98(1) of this act at a rate of \$8 per month per full time equivalent staff unit.

(5) (a) A maximum of \$10,185,000 is provided, effective January 1, 1985, for incremental fringe benefits in section 98(2) of this act and 7.0% of the 1982-83 LEAP Document 5 state-wide average salary for state-supported basic education classified staff as defined in section 98(1) of this act. With respect to the remaining state-supported classified staff of a district as defined in section 98(1) of this act, the superintendent shall distribute a 7.0% salary increase using the pertinent program state-wide average salary for such staff.

(b) The salary increase authorized by subsection (5)(a) of this section shall be the maximum level of state-supported salary increase unless the legislature makes an upward adjustment in a subsequent legislative session.

(c) During the 1983-84 school year, the superintendent of public instruction, as part of the regular classified data reporting process, shall collect data regarding the length of service of each basic education classified employee in their particular job classification. The superintendent of public instruction shall submit a report to the legislature prior to March 1, 1984, regarding the proposed allocation methodology as required by subsection (5)(d) of this section. Such a report shall consider present practices by the state personnel board in granting increments.

(d) The superintendent of public instruction shall, during the 1984-85 ((school)) fiscal year, allocate \$400,000 of the funds allocated by subsection (5)(a) of this section to each district in accordance with its particular 1983-84 complement of staff.

(e) Pursuant to RCW 84.52.0531(3), any school district having an average classified salary as shown on LEAP Document 5 of less than \$16,513 for the 1982-83 school year may grant salary increases to classified staff in the 1983-84 school year to achieve a maximum average classified salary of \$16,513. For purposes of allocating basic education funds in the 1984-85 school year, the superintendent shall modify LEAP Document 5 to reflect any increases given in accordance with this provision.

(f) A district shall not be in violation of RCW 28A.58.095 as a result of reporting revised staff mix data for the 1983-84 school year in accordance with the revised S-275 staff mix reporting instructions promulgated by the superintendent of public instruction. For 1984-85, the superintendent of public instruction shall modify LEAP Document 5 to assure that the average certificated salary for a district shall neither increase nor decrease for apportionment purposes as a result of this subsection (5)(f).

(g) A school district that is operating with a preexisting contract that did not include all of its classified staff in the 1981-82 and 1982-83 school year and, as a result of implementing this preexisting contract, did not provide a salary increase to those classified staff excluded from the contract for the period of the preexisting contract, the district shall be allowed to provide to such excluded classified staff a salary increase equivalent to that provided under the preexisting contract and such increase shall not be in violation of RCW 28A.58.095 as specified in sections 502(1) and 505 of chapter 285, Laws of 1984.

(6) (a) A maximum of \$36,540,000 is provided effective January 1, 1985, for incremental fringe benefits in section 98(2) of this act and 7.0% of the 1982-83 LEAP Document 5 average state-wide derived base salary times the district's 1983-84 staff mix factor (as defined in section 99(3) of this act) for state-supported basic education staff as defined in section 98(1) of this act. With respect to the remaining state-supported certificated staff of a district as defined in section 98(1) of this act, the superintendent shall distribute a 7.0% salary increase times the pertinent

state-wide average derived base salary improved by the 1983-84 staff mix of each district for such staff.

(b) The salary increase authorized by subsection (6)(a) of this section shall be the maximum level of state-supported salary increase unless the legislature makes an upward adjustment in a subsequent legislative session.

(7) For purposes of RCW 28A.58.095, the following conditions and limitations apply:

(a) The sum of salary and insurance benefit increases granted by each school district for nonstate-supported staff shall not exceed those specified for state-supported staff of a district.

(b) Increments granted by school districts to certificated staff in the year in which the increments are given by a district shall constitute salary increase only to the extent that the aggregate of increments granted by a district in accordance with its salary schedule exceeds the aggregate of increments pursuant to LEAP Document 1.

(c) Salary increases provided by this section shall be applied to the respective district base salaries for certificated staff and the respective district average salaries for classified staff, each as specified in LEAP Document 5 as revised in accordance with this act.

(d) During the 1984-85 school year, districts may grant increases in insurance benefits to achieve a rate of \$179.00 per month per full time equivalent staff unit.

(e) For the 1984-85 school year, for the purpose of insurance benefit increases for classified employees, a full time equivalent employee is an employee contracted to work 1,440 hours per year or more. ~~(The superintendent shall perform a study of the number of eligible employees to be classified as full time equivalent employees for insurance benefits, and shall prepare a recommended funding method to present to the 1985 session of the legislature. It is intended that the superintendent of public instruction shall distribute funds during July and August, 1985 to support such increases for classified entitlement in state-funded programs as defined in section 98(1) of this act.)~~

(8) Part-time classified insurance benefits as authorized in subsection (7)(e) of this section shall be allocated by multiplying the number of state-supported full time equivalent staff units, as defined in section 98(1), chapter 76, Laws of 1983 1st ex. sess., excluding therefrom educational service districts and transportation program staff, times \$304.61: PROVIDED, That funds for this subsection are provided in the 1985-87 omnibus appropriations act. With respect to the transportation program, the superintendent of public instruction may increase the 1984-85 standard student mile rate by a maximum of 35.2 cents.

Sec. 503. Section 104, chapter 76, Laws of 1983 1st ex. sess. as amended by section 506, chapter 285, Laws of 1984 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR PUPIL TRANSPORTATION

General Fund Appropriation .....	\$	((+71,057,000))
		<u>165,974,000</u>

The appropriation in this section is subject to the following conditions and limitations:

- (1) A maximum of \$75,110,400 may be expended in the 1983-84 fiscal year.
- (2) A maximum of \$712,000 may be expended for regional transportation coordinators.
- (3) A maximum of \$53,000 may be expended for driver training.

(4) (a) A maximum of \$1,746,400 shall be allocated as specified in subsection (4)(b) of this section in the 1983-84 fiscal year to only those school districts that, assuming the 1983-84 formula operating allocation was funded at one hundred percent, would receive less than sixty-five percent of their respective 1982-83 transportation operating expenditures. This one-time appropriation shall be for transition purposes to give these districts time to eliminate operating inefficiencies.

(b) An eligible district shall receive money sufficient to either restore its preliminary allocation specified by bulletin 24-83 or the difference between its 1982-83 operating expenditures at sixty-five percent and the 1983-84 formula operating allocation calculated at one hundred percent, whichever is less.

(5) The superintendent of public instruction is directed to report to the ways and means committees of both houses no later than September 1, 1984, identifying:

(a) The specific problems associated with the implementation of chapter 61, Laws of 1983 1st ex. sess. (Substitute House Bill No. 296) which resulted in a transportation funding shortfall in many school districts during the 1983-84 school year.

(b) The steps which the superintendent is following to alleviate all such shortfalls in 1983-84 transportation allocations and to prevent similar problems from occurring in future school years.

(c) A plan to retroactively reimburse in the 1985 supplemental budget those districts whose transportation programs were underfunded in the 1983-84 school year due to the problems of implementing chapter 61, Laws of 1983 1st ex. sess. (Substitute House Bill No. 296).

Sec. 504. Section 126, chapter 76, Laws of 1983 1st ex. sess. as amended by section 524, chapter 285, Laws of 1984 (uncodified) is amended to read as follows:

FOR THE HIGHER EDUCATION PERSONNEL BOARD

General Fund Appropriation .....	\$	40,000
Higher Education Personnel Board Service Fund Appropriation .....	\$	((+370,000))
		<u>1,400,000</u>

Total Appropriation ..... \$ ~~((1,410,000))~~  
1,440,000

The appropriations in this section ~~((t))~~ are subject to the following conditions and limitations:

(1) \$19,000 shall be used to join with the department of personnel in conducting a study of part-time employee policy and benefits.

(2) \$40,000 of the general fund appropriation is provided solely for the higher education personnel board to conduct a study for the purpose of reviewing and formulating ways to implement comparable worth in accordance with chapter 75, Laws of 1983 1st ex. sess. The board shall coordinate the study with the department of personnel and its study on comparable worth implementation. During the course of the study, the board shall report to the joint select committee on comparable worth on the study's progress. The board shall report back to the legislature no later than January 1, 1985 with potential implementation alternatives.

(3) \$30,000 of the higher education personnel board service fund appropriation is provided solely for legal services for comparable worth litigation.

#### PART VI

#### SPECIAL APPROPRIATIONS

Sec. 601. Section 134, chapter 76, Laws of 1983 1st ex. sess. as amended by section 601, chapter 285, Laws of 1984 (uncodified) is amended to read as follows:

#### FOR THE GOVERNOR—SALARY AND INSURANCE CONTRIBUTION INCREASES

(1) There is appropriated for the four-year institutions of higher education from the General Fund .....

\$ 17,187,000

(2) There is appropriated for the community college system from the General Fund \$ 760,000

(3) There is appropriated for the department of corrections from the General Fund \$ 841,000

(4) There is appropriated for the department of social and health services from the:

General Fund—State .....

\$ 12,220,000

General Fund—Federal .....

\$ 7,419,000

(5) There is appropriated for other state agencies from the:

General Fund—State .....

\$ 8,341,000

General Fund—Federal .....

\$ 1,842,000

(6) There is appropriated for all state agencies from the Special Fund Salary and Insurance Contribution Increase

Revolving Fund .....

\$ 21,652,000

(7) The appropriations in this section shall be expended to implement:

(a) Salary increases effective not later than January 1, 1985, to implement such portion of the 1982 salary survey (catch-up results) as possible, rounded to the next range if the application results in a fractional range, for higher education classified employees, state personnel board classified and exempt employees, commissioned officers of the Washington state patrol, faculty and administrative exempt employees of the community college system and the four-year institutions of higher education and medical residents and graduate assistants, including teaching assistants and research assistants of the four-year institutions of higher education (excluding student employees not under the jurisdiction of the state or higher education personnel boards);

(b) Merit/market increases effective not later than January 1, 1985, and not to exceed ~~((53,140,000 (of which 53,128,000 is from the general fund)))~~ an average of 3.1% for faculty and administrative exempt employees of the four-year institutions of higher education ~~((PROVIDED: That excluding the regional university and college faculty resource equalization moneys under sections 121 through 123 of this act, no research university, regional university, or state college may grant from any fund source whatsoever any salary increases greater than that provided in this section))~~. The increases are to be granted solely on the basis of formal merit evaluation procedures which may take into account critical market disparities in teaching disciplines. The council for postsecondary education shall report to the governor and the legislature on the implementation of the increases no later than February 15, 1985;

(c) Increases in the state's maximum contribution for employee insurance benefits effective July 1, 1983, from \$137.00 per month to \$159.00 per month per eligible employee for higher education classified employees, commissioned officers of the Washington state patrol, faculty and administrative exempt employees of the community college system and the four-year institutions of higher education, and state personnel board classified and exempt employees (excluding student employees not under the jurisdiction of the state or higher education personnel boards). The monthly premium paid for insurance benefits shall not be more than the equivalent of \$159.00 per eligible employee effective July 1, 1983 through June 30, 1984.

(d) Increases in the state's maximum contribution for employee insurance benefits effective July 1, 1984, from \$159.00 per month to \$167.00 per month per eligible employee for higher education classified employees, commissioned officers of the Washington state patrol, faculty and administrative exempt employees of the community college system and the four-year institutions of higher education, and state personnel board classified and exempt employees

(excluding student employees not under the jurisdiction of the state or higher education personnel boards). The monthly premium paid for insurance benefits shall not be more than the equivalent of \$179.00 per eligible employee effective July 1, 1984.

(e) The state employees insurance board's authority and practice of expending funds in the state employees insurance revolving fund generated by dividends or refunds is recognized, and the average contribution per eligible employee in subsections (c) and (d) of this section shall not be construed as a restriction on such expenditures: PROVIDED, That any moneys resulting from a dividend or refund shall not be used to increase employee insurance benefits over the level of services provided on the effective date of this 1984 act and in no case may the maximum premium paid be more than \$179.00 per month per eligible employee. Contributions by any county, municipal, or other political subdivision to which coverage is extended after the effective date of this 1984 act shall not receive the benefit of any surplus funds attributable to premiums paid prior to the date upon which coverage is extended.

(8) The community colleges may grant merit/market increases effective not later than January 1, 1985, and not to exceed \$2,038,000 of general fund moneys for faculty and administrative exempt employees: PROVIDED, That no community college district may grant from any fund source whatsoever any salary increase greater than that provided in this section. The council for postsecondary education shall report to the governor and the legislature on the implementation of any increases granted pursuant to this subsection no later than February 15, 1985.

(9) To facilitate payment of state employee salary increases from special funds and to facilitate payment of state employee insurance benefit increases from special funds, the state treasurer is directed to transfer sufficient income from each special fund to the special fund salary and insurance contribution increase revolving fund hereby created in accordance with schedules provided by the office of financial management.

Sec. 602, Section 141, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION

General Fund Appropriation for fire insurance premiums tax distribution .....	\$	((4,672,212))
		<u>3,852,000</u>
General Fund Appropriation for refund of deferred property tax .....	\$	((313,000))
		<u>515,500</u>
General Fund Appropriation for public utility district excise tax distribution .....	\$	((22,038,400))
		<u>18,415,000</u>
General Fund Appropriation for prosecuting attorneys' salaries .....	\$	((1,681,453))
		<u>1,627,000</u>
General Fund Appropriation for motor vehicle excise tax distribution .....	\$	((37,458,038))
		<u>37,628,000</u>
General Fund Appropriation for local mass transit assistance .....	\$	((124,194,643))
		<u>118,738,000</u>
General Fund Appropriation for camper and travel trailer excise tax distribution .....	\$	((1,509,071))
		<u>1,364,000</u>
General Fund—Harbor Improvement Account Appropriation for harbor improvement revenue distribution .....	\$	653,749
Liquor Excise Tax Fund Appropriation for liquor excise tax distribution .....	\$	20,624,310
Motor Vehicle Fund Appropriation for motor vehicle fuel tax and overload penalties distribution .....	\$	204,721,141
Liquor Revolving Fund Appropriation for liquor profits distribution .....	\$	51,000,000
State Timber Tax Account 'A' Appropriation for distribution to 'Timber' counties .....	\$	15,920,000
State Timber Tax Reserve Account Appropriation for distribution to 'Timber' counties .....	\$	14,750,000
General Fund—Municipal Sales and Use Tax Equalization Account Appropriation .....	\$	20,169,962
General Fund—County Sales and Use Tax Equalization Account Appropriation .....	\$	6,779,819
Total Appropriation .....	\$	((526,484,806))
		<u>516,758,481</u>

NEW SECTION, Sec. 603. FOR SUNDRY CLAIMS

The following sums, or so much thereof as are necessary, are appropriated from the general fund for the payment of court judgments and for relief of various individuals, firms, and corporations for sundry claims. These appropriations are to be disbursed on vouchers approved by the director of financial management as follows:

(1) Sullivan Realty, Inc., payment of judgment in State v. Black, Superior Court for Spokane County, Cause No. 247104 .....	\$	28,346.54
(2) Hege Co., Inc., payment of judgment in State v. Black, Superior Court for Spokane County, Cause No. 247104 .....	\$	28,346.54
(3) Tupper Realty, Inc., payment of judgment in State v. Black, Superior Court for Spokane County, Cause No. 247104 .....	\$	64,474.00

**NEW SECTION.** Sec. 604. 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. 605. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 1 of the title, after "state agencies;" strike the remainder of the title and insert "amending section 2, chapter 76, Laws of 1983 1st ex. sess. as amended by section 101, chapter 285, Laws of 1984 (uncodified); amending section 3, chapter 76, Laws of 1983 1st ex. sess. as amended by section 102, chapter 285, Laws of 1984 (uncodified); amending section 15, chapter 76, Laws of 1983 1st ex. sess. as amended by section 114, chapter 285, Laws of 1984 (uncodified); amending section 17, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 24, chapter 76, Laws of 1983 1st ex. sess. as amended by section 118, chapter 285, Laws of 1984 (uncodified); amending section 27, chapter 76, Laws of 1983 1st ex. sess. as amended by section 119, chapter 285, Laws of 1984 (uncodified); amending section 36, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 37, chapter 76, Laws of 1983 1st ex. sess. as amended by section 126, chapter 285, Laws of 1984 (uncodified); amending section 65, chapter 76, Laws of 1983 1st ex. sess. as amended by section 214, chapter 285, Laws of 1984 (uncodified); amending section 71, chapter 76, Laws of 1983 1st ex. sess. as amended by section 219, chapter 285, Laws of 1984 285, Laws of 1984 (uncodified); amending section 65, chapter 76, Laws of 1983 1st ex. sess. as amended by section 214, chapter 285, Laws of 1984 (uncodified); amending section 71, chapter 76, Laws of 1983 1st ex. sess. as amended by section 219, chapter 285, Laws of 1984 (uncodified); amending section 89, chapter 76, Laws of 1983 1st ex. sess. as amended by section 307, chapter 285, Laws of 1984 (uncodified); amending section 90, chapter 76, Laws of 1983 1st ex. sess. as amended by section 308, chapter 285, Laws of 1984 (uncodified); amending section 310, chapter 285, Laws of 1984 (uncodified); amending section 94, chapter 76, Laws of 1983 1st ex. sess. as amended by section 402, chapter 285, Laws of 1984 (uncodified); amending section 97, chapter 76, Laws of 1983 1st ex. sess. as amended by section 502, chapter 285, Laws of 1984 (uncodified); amending section 103, chapter 76, Laws of 1983 1st ex. sess. as amended by section 505, chapter 285, Laws of 1984 (uncodified); amending section 104, chapter 76, Laws of 1983 1st ex. sess. as amended by section 506, chapter 285, Laws of 1984 (uncodified); amending section 126, chapter 76, Laws of 1983 1st ex. sess. as amended by section 524, chapter 285, Laws of 1984 (uncodified); amending section 134, chapter 76, Laws of 1983 1st ex. sess. as amended by section 601, chapter 285, Laws of 1984 (uncodified); amending section 141, chapter 76, Laws of 1983 1st ex. sess. (uncodified); creating new sections; repealing section 51, chapter 76, Laws of 1983 1st ex. sess., section 201, chapter 285, Laws of 1984 (uncodified); repealing section 53, chapter 76, Laws of 1983 1st ex. sess., section 203, chapter 285, Laws of 1984 (uncodified); repealing section 54, chapter 76, Laws of 1983 1st ex. sess., section 204, chapter 285, Laws of 1984 (uncodified); repealing section 55, chapter 76, Laws of 1983 1st ex. sess., section 205, chapter 285, Laws of 1984 (uncodified); repealing section 56, chapter 76, Laws of 1983 1st ex. sess., section 206, chapter 285, Laws of 1984 (uncodified); repealing section 57, chapter 76, Laws of 1983 1st ex. sess., section 207, chapter 285, Laws of 1984 (uncodified); repealing section 58, chapter 76, Laws of 1983 1st ex. sess. (uncodified); repealing section 59, chapter 76, Laws of 1983 1st ex. sess., section 208, chapter 285, Laws of 1984 (uncodified); repealing section 60, chapter 76, Laws of 1983 1st ex. sess., section 209, chapter 285, Laws of 1984 (uncodified); repealing section 61, chapter 76, Laws of 1983 1st ex. sess., section 210, chapter 285, Laws of 1984 (uncodified); repealing section 62, chapter 76, Laws of 1983 1st ex. sess., section 211, chapter 285, Laws of 1984 (uncodified); repealing section 63, chapter 76, Laws of 1983 1st ex. sess., section 212, chapter 285, Laws of 1984 (uncodified); repealing section 64, chapter 76, Laws of 1983 1st ex. sess., section 213, chapter 285, Laws of 1984 (uncodified); making appropriations; and declaring an emergency."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary

#### MOTION

Mr. Braddock moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 386.

Representatives Tilly, B. Williams, Prince and G. Nelson spoke against the motion, and Mr. Braddock spoke in favor of it.

The motion was carried.



## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) declared the question before the House to be the final passage of Engrossed Substitute House Bill No. 386 as amended by the Senate.

Representatives Tilly, B. Williams, Ballard and G. Nelson spoke against passage of the bill, and Representatives Grimm and S. Wilson spoke in favor of it.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 386 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 51; nays, 45; excused, 2.

Voting yea: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Waik, Wang, Wilson K, Wilson S, Zellinsky, and Mr. Speaker - 51.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hastings, Holland, Isaacson, Jacobsen, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson D, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Sloep, Walker, West, Williams B, Williams J, Winsley - 45.

Excused: Representatives Hankins, Wineberry - 2.

Engrossed Substitute House Bill No. 386 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 House reverted to the fourth order of business.

## MESSAGE FROM THE SENATE

March 22, 1985

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3005,  
 SUBSTITUTE SENATE BILL NO. 3029,  
 SUBSTITUTE SENATE BILL NO. 3175,  
 SECOND SUBSTITUTE SENATE BILL NO. 3188,  
 SUBSTITUTE SENATE BILL NO. 3255,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3307,  
 SUBSTITUTE SENATE BILL NO. 3347,  
 SENATE BILL NO. 3355,  
 SUBSTITUTE SENATE BILL NO. 3384,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3413,  
 SUBSTITUTE SENATE BILL NO. 3419,  
 SENATE BILL NO. 3445,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3450,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3517,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3520,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3541,  
 ENGROSSED SENATE BILL NO. 3627,  
 SENATE BILL NO. 3829,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3898,  
 SUBSTITUTE SENATE BILL NO. 4114,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 4228,

and the same are herewith transmitted.

BILL GLEASON, Assistant Secretary.

## INTRODUCTIONS AND FIRST READING

SSB 3005 by Committee on Governmental Operations (originally sponsored by Senators Barr and Rasmussen)

Raising the amount available for rent payment for veterans' meeting places.

Referred to Committee on Local Government.

SSB 3029 by Committee on Financial Institutions (originally sponsored by Senator Williams)

Modifying provisions relating to the cashing of government checks by financial institutions.

Referred to Committee on Financial Institutions & Insurance.

SSB 3175 by Committee on Human Services & Corrections (originally sponsored by Senators Granlund, Kiskaddon, Kreidler and Stratton; by Department of Social and Health Services and Department of Fisheries request)

Regulating removal and possession of commercial quantities of shellfish.

Referred to Committee on Social & Health Services.

2SSB 3188 by Committee on Ways & Means (originally sponsored by Senators Granlund, Halsan and Johnson)

Providing reimbursement of institutional care facilities employees for cost attributable to resident or patient assault.

Referred to Committee on State Government.

SSB 3255 by Committee on Commerce & Labor (originally sponsored by Senators Moore and Sellar)

Regulating contracts with sales representatives.

Referred to Committee on Commerce & Labor.

ESSB 3307 by Committee on Judiciary (originally sponsored by Senators Talmadge, Moore and Rasmussen)

Limiting campaign contributions.

Referred to Committee on Constitution, Elections & Ethics.

SSB 3347 by Committee on Transportation (originally sponsored by Senator Williams)

Exempting Indian tribal governments from payment of vehicle license fees.

Referred to Committee on Transportation.

SB 3355 by Senators McDermott, Moore, Deccio, Rasmussen and Talmadge

Continuing group insurance coverage for unemployed persons.

Referred to Committee on Financial Institutions & Insurance.

SSB 3384 by Committee on Natural Resources (originally sponsored by Senators Fleming and Goltz)

Establishing a salmon and steelhead rehabilitation and enhancement policy board.

Referred to Committee on Natural Resources.

ESSB 3413 by Committee on Commerce & Labor (originally sponsored by Senators Warnke, Halsan, Lee, Johnson, McManus, Stratton, Garrett, Gaspard, Bender, Bauer and Wojahn)

Requiring a study of the business license system.

Referred to Committee on Commerce & Labor.

- SSB 3419 by Committee on Governmental Operations (originally sponsored by Senators Thompson, Zimmerman and McManus  
Modifying requirements for approval of plats.  
Referred to Committee on Local Government.
- SB 3445 by Senators Fleming, Williams and Talmadge  
Revising the county's power regarding park and recreation service areas.  
Referred to Committee on Local Government.
- ESSB 3450 by Committee on Judiciary (originally sponsored by Senator Talmadge)  
Revising provisions relating to firearms.  
Referred to Committee on Judiciary.
- ESSB 3517 by Committee on Education (originally sponsored by Senators Brauer, Gaspard, Benitz, Moore, Bender, Rinehart and Johnson; by Temporary Committee on Educational Policies, Structure and Management request)  
Providing an adult literacy program.  
Referred to Committee on Education.
- ESSB 3520 by Committee on Financial Institutions (originally sponsored by Senators Bottiger, Hayner, Moore and Sellar)  
Modifying provisions on insolvent insurers.  
Referred to Committee on Financial Institutions & Insurance.
- ESSB 3541 by Committee on Financial Institutions (originally sponsored by Senators Moore, Deccio, Sellar, Newhouse, Bender, Wojahn and Rasmussen; by Insurance Commissioner request)  
Revising health care services provisions.  
Referred to Committee on Financial Institutions & Insurance.
- ESB 3627 by Senators Warnke, Wojahn, Goltz, Metcalf and Bender  
Modifying the unemployment compensation requirements for persons with marginal labor force attachment.  
Referred to Committee on Commerce & Labor.
- SB 3829 by Senators Kreidler and Deccio; by Department of Licensing request  
Revising provisions relating to the licensing of physicians.  
Referred to Committee on Social & Health Services.
- ESSB 3898 by Committee on Human Services & Corrections (originally sponsored by Senators Granlund, Kreidler and Kiskaddon)  
Clarifying definition of occupational therapist.  
Referred to Committee on Social & Health Services.
- SSB 4114 by Committee on Judiciary (originally sponsored by Senator Owen)  
Modifying certain civil liability provisions for the sale of securities.  
Referred to Committee on Financial Institutions & Insurance.
- ESSB 4228 by Committee on Ways & Means (originally sponsored by Senator McDermott; by Department of Revenue request)  
Modifying business and occupation tax provisions on persons taxable on multiple activities.  
Referred to Committee on Ways & Means.

## MOTION

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

## MOTION

On motion of Mr. J. King, the House adjourned until 10:00 a.m., Wednesday, March 27, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk

## SEVENTY-THIRD DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, March 27, 1985.

The House was called to order at 10:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Hankins, Locke, L. Smith and West, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Heidi Schmitt and Denise DeShaw. Prayer was offered by Reverend John Maxwell, Minister of the United Methodist Church of Tumwater.

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

## MESSAGE FROM THE GOVERNOR

March 25, 1985

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

I have the honor to advise you that on March 25, 1985, Governor Gardner approved the following House Bill entitled:

SUBSTITUTE HOUSE BILL NO. 500: Relating to medical care programs.

Sincerely,  
Terry Sebring, Counsel.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 386.

## REPORTS OF STANDING COMMITTEES

March 22, 1985

HB 1082 Prime Sponsor, Representative Bristow: Revising provisions relating to industrial premiums. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Ebersole, Fisch, Fisher, R. King, O'Brien and Sayan.

MINORITY recommendation: Do not pass. Signed by Representatives Betrozoff, Chandler, Patrick, C. Smith, Walker and J. Williams.

Passed to Committee on Rules for second reading.

March 22, 1985

HB 1085 Prime Sponsor, Representative Rayburn: Revising provisions relating to prompt actions by the department of labor and industries. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Betrozoff, Ebersole, Fisch, Fisher, R. King, O'Brien and Sayan.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Patrick, C. Smith, Walker and J. Williams.

Passed to Committee on Rules for second reading.

March 22, 1985

HB 1089 Prime Sponsor, Representative McMullen: Revising provisions relating to industrial insurance penalties. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Betrozoff, Chandler, Ebersole, Fisch, Fisher, R. King, O'Brien, Patrick, Sayan, C. Smith, Walker and J. Williams.

Passed to Committee on Rules for second reading.

March 26, 1985

SSB 3047 Prime Sponsor, Committee on Governmental Operations: Establishing the western library network. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Belcher, Chair; Peery, Vice Chair; Baugher, Brooks, Fuhrman, O'Brien, Sanders, Taylor, Todd, van Dyke, Vekich and Waik.

Absent: Representative Hankins.

Passed to Committee on Rules for second reading.

March 26, 1985

SSB 3170 Prime Sponsor, Committee on Natural Resources: Establishing criteria for annual natural resources reports. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 14 after "before" strike "July 30" and insert "October 30"

On page 2, line 4 after "before" strike "July 1" and insert "October 30"

On page 2, line 24 after "before" strike "July 30" and insert "October 30"

Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Basich, Belcher, Cole, Fuhrman, Hargrove, Haugen, Leonard, Lundquist, McMullen, D. Nelson, Sanders, van Dyke, J. Williams and S. Wilson.

Absent: Representatives Dobbs, Hankins, Sayan and Thomas.

Passed to Committee on Rules for second reading.

March 26, 1985

SB 3173 Prime Sponsor, Senator Owen: Prohibiting trespass on aquaculture lands or structures. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Basich, Belcher, Cole, Fuhrman, Hargrove, Haugen, Leonard, Lundquist, McMullen, D. Nelson, Sanders, van Dyke, J. Williams and S. Wilson.

Voting nay: Representative Lundquist.

Absent: Representatives Dobbs, Hankins, McMullen, Sayan and Thomas.

Passed to Committee on Rules for second reading.

March 26, 1985

SSB 3179 Prime Sponsor, Committee on Ways & Means: Enlarging the class of persons entitled to cash out annual leave. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 12 strike "This additional annual leave" and insert "Annual leave accumulated under RCW 43.01.044"

On page 1, after line 14 insert the following new paragraph:

"Should the legislature revoke any benefits or rights provided under this 1985 act, no affected officer or employee shall be entitled thereafter to receive such benefits or exercise such rights as a matter of contractual right."

Signed by Representatives Belcher, Chair; Peery, Vice Chair; Baugher, Brooks, Fuhrman, O'Brien, Sanders, Taylor, Todd, van Dyke, Vekich and Walk.

Absent: Representative Hankins.

Referred to Committee on Ways & Means.

March 26, 1985

SSB 3180 Prime Sponsor, Committee on Governmental Operations: Requiring salary surveys to be completed by September 30 prior to legislative session. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

\*Sec. 1. Section 11, chapter 36, Laws of 1969 ex. sess. as last amended by section 3, chapter 11, Laws of 1980 and RCW 28B.16.110 are each amended to read as follows:

The salary schedules and compensation plans, adopted and revised as provided in RCW 28B.16.100 as now or hereafter amended, shall reflect prevailing rates in other public employment and in private employment in this state or in the locality in which the institution or related board is located. For this purpose comprehensive salary and fringe benefit surveys shall be undertaken by the board with the assistance of the various personnel officers of the institutions of higher education and on a joint basis with the department of personnel, with such surveys to be conducted ~~((at least))~~ in the year prior to the convening of ~~((each))~~ every other one hundred five day regular session of the state legislature. In the year prior to the convening of each one hundred five day regular session during which a comprehensive salary and fringe benefit survey is not conducted, the board with assistance of the various personnel officers of the institutions of higher education and on a joint basis with the department of personnel, shall conduct a trend salary and fringe benefit survey. This survey shall measure average salary and fringe benefit movement for broad occupational groups which has occurred since the last comprehensive salary and fringe benefit survey was conducted. The results of ((such)) each comprehensive and trend salary and fringe benefit survey shall be completed and forwarded by September 30 with recommended salary adjustments, which recommendations shall be advisory only, to the governor and the director of financial management for their use in preparing budgets to be submitted to the succeeding legislature. A copy of the data and supporting documentation shall be furnished by the board to the standing committees for appropriations of the senate and house of representatives.

In the case of comprehensive salary and fringe benefit surveys, the board shall furnish the following supplementary data in support of its recommended salary schedule:

(1) A total dollar figure which reflects the recommended increase or decrease in state salaries as a direct result of the specific salary and fringe benefit survey that has been conducted and which is categorized to indicate what portion of the increase or decrease is represented by salary survey data and what portion is represented by fringe benefit survey data;

(2) An additional total dollar figure which reflects the impact of recommended increases or decreases to state salaries based on other factors rather than directly on prevailing rate data obtained through the survey process and which is categorized to indicate the sources of the requests for deviation from prevailing rates and the reasons for the changes;

(3) A list of class codes and titles indicating recommended monthly salary ranges for all state classes under the control of the higher education personnel board with:

(a) Those salary ranges which do not substantially conform to the prevailing rates developed from the salary and fringe benefit survey distinctly marked and an explanation of the reason for the deviation included; and

(b) Those higher education personnel board classes which are substantially the same as classes being used by the department of personnel clearly marked to show the commonality of the classes between the two jurisdictions;

(4) A supplemental salary schedule which indicates the additional salary to be paid state employees for hazardous duties or other considerations requiring extra compensation under specific circumstances. Additional compensation for these circumstances shall not be included in the basic salary schedule but shall be maintained as a separate pay schedule for purposes of full disclosure and visibility; and

(5) A supplemental salary schedule which indicates those cases where the board determines that prevailing rates do not provide similar salaries for positions that require or impose similar responsibilities, judgment, knowledge, skills, and working conditions. This supplementary salary schedule shall contain proposed salary adjustments necessary to eliminate any such dissimilarities in compensation. Additional compensation needed to eliminate such salary dissimilarities shall not be included in the basic salary schedule but shall be maintained as a separate salary schedule for purposes of full disclosure and visibility.

It is the intention of the legislature that requests for funds to support recommendations for salary deviations from the prevailing rate survey data shall be kept to a minimum, and that the requests be fully documented when forwarded by the board. Further, it is the intention of

the legislature that the department of personnel and the higher education personnel board jointly determine job classes which are substantially common to both jurisdictions and that basic salaries for these job classes shall be equal based on salary and fringe benefit survey findings.

Salary and fringe benefit survey information collected from private employers which identifies a specific employer with the salary and fringe benefit rates which that employer pays to its employees shall not be subject to public disclosure under chapter 42.17 RCW.

The first comprehensive salary and fringe benefit survey required by this section shall be completed and forwarded to the governor and the director of financial management by September 30, 1986. The first trend salary and fringe benefit survey required by this section shall be completed and forwarded to the governor and the director of financial management by September 30, 1988.

Sec. 2. Section 16, chapter 1, Laws of 1961 as last amended by section 1, chapter 11, Laws of 1980 and RCW 41.06.160 are each amended to read as follows:

In preparing classification and salary schedules as set forth in RCW 41.06.150 as now or hereafter amended the department of personnel shall give full consideration to prevailing rates in other public employment and in private employment in this state. For this purpose the department shall undertake comprehensive salary and fringe benefit surveys to be planned and conducted on a joint basis with the higher education personnel board, with such surveys to be conducted ((at least)) in the year prior to the convening of ((each)) every other one hundred five day regular session of the state legislature. In the year prior to the convening of each one hundred five day regular session during which a comprehensive salary and fringe benefit survey is not conducted, the department shall plan and conduct on a joint basis with the higher education personnel board a trend salary and fringe benefit survey. This survey shall measure average salary and fringe benefit movement for broad occupational groups which has occurred since the last comprehensive salary and fringe benefit survey was conducted. The results of each comprehensive and trend salary and fringe benefit survey shall be completed and forwarded by September 30 with a recommended state salary schedule to the governor and director of financial management for their use in preparing budgets to be submitted to the succeeding legislature. A copy of the data and supporting documentation shall be furnished by the department of personnel to the standing committees for appropriations of the senate and house of representatives.

In the case of comprehensive salary and fringe benefit surveys, the department shall furnish the following supplementary data in support of its recommended salary schedule:

(1) A total dollar figure which reflects the recommended increase or decrease in state salaries as a direct result of the specific salary and fringe benefit survey that has been conducted and which is categorized to indicate what portion of the increase or decrease is represented by salary survey data and what portion is represented by fringe benefit survey data;

(2) An additional total dollar figure which reflects the impact of recommended increases or decreases to state salaries based on other factors rather than directly on prevailing rate data obtained through the survey process and which is categorized to indicate the sources of the requests for deviation from prevailing rates and the reasons for the changes;

(3) A list of class codes and titles indicating recommended monthly salary ranges for all state classes under the control of the department of personnel with:

(a) Those salary ranges which do not substantially conform to the prevailing rates developed from the salary and fringe benefit survey distinctly marked and an explanation of the reason for the deviation included; and

(b) Those department of personnel classes which are substantially the same as classes being used by the higher education personnel board clearly marked to show the commonality of the classes between the two jurisdictions;

(4) A supplemental salary schedule which indicates the additional salary to be paid state employees for hazardous duties or other considerations requiring extra compensation under specific circumstances. Additional compensation for these circumstances shall not be included in the basic salary schedule but shall be maintained as a separate pay schedule for purposes of full disclosure and visibility; and

(5) A supplemental salary schedule which indicates those cases where the board determines that prevailing rates do not provide similar salaries for positions that require or impose similar responsibilities, judgment, knowledge, skills, and working conditions. This supplementary salary schedule shall contain proposed salary adjustments necessary to eliminate any such dissimilarities in compensation. Additional compensation needed to eliminate such salary dissimilarities shall not be included in the basic salary schedule but shall be maintained as a separate salary schedule for purposes of full disclosure and visibility.

It is the intention of the legislature that requests for funds to support recommendations for salary deviations from the prevailing rate survey data shall be kept to a minimum, and that the requests be fully documented when forwarded by the department of personnel. Further, it is the intention of the legislature that the department of personnel and the higher education



personnel board jointly determine job classes which are substantially common to both jurisdictions and that basic salaries for these job classes shall be equal based on salary and fringe benefit survey findings.

Salary and fringe benefit survey information collected from private employers which identifies a specific employer with the salary and fringe benefit rates which that employer pays to its employees shall not be subject to public disclosure under chapter 42.17 RCW.

The first comprehensive salary and fringe benefit survey required by this section shall be completed and forwarded to the governor and the director of financial management by September 30, 1986. The first trend salary and fringe benefit survey required by this section shall be completed and forwarded to the governor and the director of financial management by September 30, 1988.

Sec. 3. Section 5, chapter 152, Laws of 1977 ex. sess. as last amended by section 2, chapter 11, Laws of 1980 and RCW 41.06.167 are each amended to read as follows:

The department of personnel shall undertake comprehensive salary and fringe benefit surveys for officers of the Washington state patrol, with such surveys to be conducted ((at least)) in the year prior to the convening of ((each)) every other one hundred five day regular session of the state legislature. In the year prior to the convening of each one hundred five day regular session during which a comprehensive salary and fringe benefit survey is not conducted, the department shall conduct a trend salary and fringe benefit survey. This survey shall measure average salary and fringe benefit movement which has occurred since the last comprehensive salary and fringe benefit survey was conducted. The results of each ((such)) comprehensive and trend survey shall be completed and forwarded by September 30, after review and concurrence by the chief of the Washington state patrol, to the governor and director of financial management for their use in preparing budgets to be submitted to the succeeding legislature. A copy of the data and supporting documentation shall be furnished by the department of personnel to the legislative budget committee and the standing committees for appropriations of the senate and house of representatives. The office of financial management shall analyze the survey results and conduct investigations which may be necessary to arbitrate differences between interested parties regarding the accuracy of collected survey data and the use of such data for salary adjustment.

Surveys conducted by the department of personnel for the Washington state patrol shall be undertaken in a manner consistent with statistically accurate sampling techniques, including comparisons of weighted averages of salaries. This service performed by the department of personnel shall be on a reimbursable basis in accordance with the provisions of RCW 41.06.080 as now existing or hereafter amended.

A comprehensive salary and fringe benefits survey plan shall be submitted jointly by the department of personnel and the Washington state patrol to the director of financial management, the committee on ways and means of the senate, the committee on appropriations of the house of representatives and to the legislative budget committee six months before the beginning of each periodic survey. The legislative budget committee shall review and evaluate the survey plan before final implementation.

The first comprehensive salary and fringe benefit survey required by this section shall be completed and forwarded to the governor and the director of financial management by September 30, 1986. The first trend salary and fringe benefit survey required by this section shall be completed and forwarded to the governor and the director of financial management by September 30, 1988.\*

Signed by Representatives Belcher, Chair; Peery, Vice Chair; Baugher, Brooks, Fuhrman, O'Brien, Sanders, Taylor, Todd, van Dyke, Vekich and Walk.

Absent: Representative Hankins.

Passed to Committee on Rules for second reading.

March 26, 1985

SSB 3220 Prime Sponsor, Committee on Governmental Operations: Authorizing access to autopsy reports. Reported by Committee on Local Government

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 12 after "or" strike "to" and insert "((to))"

On page 1, line 13 after "RCW 68.08.103" insert ": PROVIDED, That the law enforcement agency and prosecuting attorney having jurisdiction respectively shall have an opportunity to review said reports and records prior to release, and may require that they be withheld for a reasonable period of time if it is determined that the death occurred under suspicious circumstances and that their release may prejudice a subsequent investigation or prosecution"

Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Bristow, Brough, Doty, Ebersole, Hine, Isaacson, May, Rayburn, Winsley and Zellinsky.

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

Absent: Representatives Ebersole, Patrick and Smitherman.

Passed to Committee on Rules for second reading.

March 26, 1985

SB 3312 Prime Sponsor, Senator Thompson: Including municipal corporations as "public agencies." Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Allen, Bristow, Brough, Doty, Ebersole, Hine, Isaacson, May, Rayburn, Winsley and Zellinsky.

Absent: Representatives Ebersole, Patrick and Smitherman.

Passed to Committee on Rules for second reading.

March 22, 1985

SSB 3342 Prime Sponsor, Committee on Ways & Means: Revising horse racing regulations. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendments:

Beginning on page 4, line 15, after "participate," strike all the material through "race" on line 16 and insert "~~((only horses of the same breed shall be allowed to compete in any individual race))~~ horses of different breeds may be allowed to compete in the same race if such mixed races are so designated in the racing conditions"

On page 11, line 31, after "conducted" strike all the material down to and including "and))" on line 32 and insert "only within the enclosure of the licensee's race course and"

On page 12, beginning on line 1 strike all material through the end of line 8 and insert a new paragraph to read as follows:

"Only breeders of owners of Washington-bred horses are eligible to demand and receive a breeder's award, an owner's bonus or both. The commission shall promulgate rules and regulations to certify Washington-bred horses. In setting standards to certify horses as Washington-bred, the commission shall seek the advice of and consult with industry, including (a) the Washington Horse Breeders' Association for thoroughbreds; (b) the Washington State Standardbred Association for standardbred harness horses; (c) Northern Racing Quarter Horse Association for quarter horses; (d) the Washington State Appaloosa Racing Association for appaloosas; and (e) the Washington State Arabian Horse Racing Association for Arabian horses.

On page 12, after line 8 insert a new section to read as follows:

"NEW SECTION. Sec. 14. If any provisions or application of any provisions of this chapter are invalidated by a court of law, the remainder of the chapter shall not be affected."

Re-number the remaining section consecutively.

Signed by Representatives Wang, Chair; Cole, Vice Chair; Betrozoff, Chandler, Ebersole, Fisch, Fisher, R. King, O'Brien, Patrick, Sayan, C. Smith, Walker and J. Williams.

Referred to Committee on Ways & Means.

March 22, 1985

SSB 3438 Prime Sponsor, Committee on Energy & Utilities: Extending the governors powers to declare energy emergencies. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 18, chapter 108, Laws of 1975-'76 2nd ex. sess. as last amended by section 1, chapter 281, Laws of 1981 and RCW 43.21G.040 are each amended to read as follows:

(1) The governor may subject to the definitions and limitations provided in this chapter:

(a) Upon finding that an energy supply alert exists within this state or any part thereof, declare a condition of energy supply alert; or

(b) Upon finding that an energy emergency exists within this state or any part thereof, declare a condition of energy emergency. A condition of energy emergency shall terminate thirty consecutive days after the declaration of such condition if the legislature is not in session at the time of such declaration and if the governor fails to convene the legislature pursuant to Article III, section 7 of the Constitution of the state of Washington within thirty consecutive days of such declaration. If the legislature is in session or convened, in accordance with this subsection, the duration of the condition of energy emergency shall be limited in accordance with subsection (3) of this section.

Upon the declaration of a condition of energy supply alert or energy emergency, the governor shall present to the committee any proposed plans for programs, controls, standards, and priorities for the production, allocation, and consumption of energy during any current or anticipated condition of energy emergency, any proposed plans for the suspension or modification of existing rules of the Washington Administrative Code, and any other relevant matters the governor deems desirable. The governor shall review any recommendations of the committee concerning such plans and matters.

The governor shall review the status of such plans annually with the house of representatives and senate standing committees on energy and utilities.

Upon the declaration of a condition of energy supply alert or energy emergency, the emergency powers as set forth in this chapter shall become effective only within the area described in the declaration.

(2) A condition of energy supply alert shall terminate ninety consecutive days after the declaration of such condition unless:

(a) Extended by the governor upon issuing a finding that the energy supply alert continues to exist, and with prior approval of such an extension by the committee; or

(b) Extended by the governor based on a declaration by the president of the United States of a national state of emergency in regard to energy supply; or

(c) Upon the request of the governor, extended by declaration of the legislature by concurrent resolution of a continuing energy supply alert.

In the event any such initial extension is implemented, the condition shall terminate one hundred and fifty consecutive days after the declaration of such condition. One or more subsequent extensions may be implemented through the extension procedures set forth in this subsection. In the event any such subsequent extension is implemented, the condition shall terminate sixty consecutive days after the implementation of such extension.

(3) A condition of energy emergency shall terminate forty-five consecutive days after the declaration of such condition unless:

(a) Extended by the governor upon issuing a finding that the energy emergency continues to exist, and with prior approval of such an extension by the committee; or

(b) Extended by the governor based on a declaration by the president of the United States of a national state of emergency in regard to energy supply; or

(c) Upon the request of the governor, extended by declaration of the legislature by concurrent resolution of a continuing energy emergency.

In the event any such initial extension is implemented, the condition shall terminate ninety consecutive days after the declaration of such condition. One or more subsequent extensions may be implemented through the extension procedures set forth in this subsection. In the event any such subsequent extension is implemented, the condition shall terminate forty-five consecutive days after the implementation of such extension.

(4) A condition of energy supply alert or energy emergency shall cease to exist upon a declaration to that effect by either of the following: (a) The governor; or (b) the legislature, by concurrent resolution, if in regular or special session: PROVIDED, That the governor shall terminate a condition of energy supply alert or energy emergency when the energy supply situation upon which the declaration of a condition of energy supply alert or energy emergency was based no longer exists.

(5) In a condition of energy supply alert, the governor may, as deemed necessary to preserve and protect the public health, safety, and general welfare, and to minimize, to the fullest extent possible, the injurious economic, social, and environmental consequences of such energy supply alert, issue orders to: (a) Suspend or modify existing rules of the Washington Administrative Code of any state agency relating to the consumption of energy by such agency or to the production of energy, and (b) direct any state or local governmental agency to implement programs relating to the consumption of energy by the agency which have been developed by the governor or the agency and reviewed by the committee.

(6) In addition to the powers in subsection (5) of this section, in a condition of energy emergency, the governor may, as deemed necessary to preserve and protect the public health, safety, and general welfare, and to minimize, to the fullest extent possible, the injurious economic, social, and environmental consequences of such an emergency, issue orders to: (a) Implement programs, controls, standards, and priorities for the production, allocation, and consumption of energy; (b) suspend and modify existing pollution control standards and requirements or any other standards or requirements affecting or affected by the use of energy, including those relating to air or water quality control; and (c) establish and implement regional programs and agreements for the purposes of coordinating the energy programs and actions of the state with those of the federal government and of other states and localities.

The governor shall immediately transmit the declaration of a condition of energy supply alert or energy emergency and the findings upon which the declaration is based and any orders issued under the powers granted in this chapter to the committee.

Nothing in this chapter shall be construed to mean that any program, control, standard, priority or other policy created under the authority of the emergency powers authorized by

this chapter shall have any continuing legal effect after the cessation of the condition of energy supply alert or energy emergency.

If any provision of this chapter is in conflict with any other provision, limitation, or restriction which is now in effect under any other law of this state, including, but not limited to, chapter 34.04 RCW, this chapter shall govern and control, and such other law or rule or regulation promulgated thereunder shall be deemed superseded for the purposes of this chapter.

Because of the emergency nature of this chapter, all actions authorized or required hereunder, or taken pursuant to any order issued by the governor, shall be exempted from any and all requirements and provisions of the state environmental policy act of 1971, chapter 43.21C RCW, including, but not limited to, the requirement for environmental impact statements.

Except as provided in this section nothing in this chapter shall exempt a person from compliance with the provisions of any other law, rule, or directive unless specifically ordered by the governor. ~~(The emergency powers granted to the governor in this chapter shall expire on June 30, 1985;)~~

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 June 29, 1985."

On page 1, on line 1 of the title, after "RCW" strike the remainder of the title and insert "43.21G.040; providing an effective date; and declaring an emergency."

Signed by Representatives D. Nelson, Chair; Armstrong, Barnes, Isaacson, Long, Madsen, Miller, Nealey and Unsoeld.

Absent: Representatives Todd, Vice Chair; Bond, Gallagher, Jacobsen and Van Luven.

Passed to Committee on Rules for second reading.

March 26, 1985

SB 3593 Prime Sponsor, Senator Thompson: Ratifying previous local government reimbursements for costs related to the Mt. St. Helens eruption. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Allen, Bristow, Brough, Doty, Ebersole, Hine, Isaacson, May, Rayburn, Winsley and Zellinsky.

Absent: Representatives Ebersole, Patrick and Smitherman.

Referred to Committee on Ways & Means.

March 26, 1985

ESB 3596 Prime Sponsor, Senator Granlund: Changing provisions relating to the state criminal justice information system. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, P. King, Lewis, Locke, G. Nelson, Niemi, Schmidt, Schoon, Tilly, West and Wang.

Absent: Representatives Padden, Schmidt and Van Luven.

Passed to Committee on Rules for second reading.

March 25, 1985

E2SSB 3828 Prime Sponsor, Committee on Ways & Means: Reestablishing the Puget Sound water quality authority. Reported by Select Committee on the Clean-up and Management of Puget Sound

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

\*NEW SECTION. Sec. 1. The legislature finds that Puget Sound and related inland marine waterways of Washington state represent a unique and unparalleled resource. A rich and varied range of marine organisms, composing an interdependent, sensitive communal ecosystem reside in these sheltered waters. Residents of this region enjoy a way of life centered around the waters of Puget Sound, featuring accessible recreational opportunities, world-class port facilities and water transportation systems, harvest of marine food resources, shoreline-oriented life styles, water-dependent industries, tourism, irreplaceable aesthetics and other activities, all of which to some degree depend upon a clean and healthy marine resource.

The legislature further finds that the consequences of careless husbanding of this resource have been dramatically illustrated in inland waterways associated with older and more

extensively developed areas of the nation. Recent reports concerning degradation of water quality within this region's urban embayments raise alarming possibilities of similar despoliation of Puget Sound and other state waterways. These examples emphasize that the costs of restoration of aquatic resources, where such restoration is possible, greatly exceed the costs of responsible preservation.

The legislature declares that utilization of the Puget Sound resource carries a custodial obligation for preserving it. The people of the state have the unique opportunity to preserve this gift of nature, an understanding of the results of inattentive stewardship, the technical knowledge needed for control of degradation, and the obligation to undertake such control.

The legislature further finds that the large number of governmental entities that now affect the water quality of Puget Sound have diverse interests and limited jurisdictions which cannot adequately address the cumulative, wide-ranging impacts which contribute to the degradation of Puget Sound. It is therefore the policy of the state of Washington to create a single entity with adequate resources to develop a comprehensive plan for water quality protection in Puget Sound to be implemented by existing state and local government agencies.

NEW SECTION. Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter:

- (1) 'Authority' means the Puget Sound water quality authority.
- (2) 'Chair' means the presiding officer of the Puget Sound water quality authority.
- (3) 'Plan' means the Puget Sound water quality management plan.
- (4) 'Puget Sound' means all salt waters of the state of Washington inside the international boundary line between the state of Washington and the province of British Columbia, lying east of one hundred twenty-three degrees, twenty-four minutes west longitude.

NEW SECTION. Sec. 3. (1) There is established the Puget Sound water quality authority composed of seven members who are appointed by the governor and confirmed by the senate. The governor shall select one of the seven members to act as chair of the authority and be presiding officer of the authority. In making these appointments, the governor shall seek to include representation of the variety of interested parties concerned about Puget Sound water quality. The commissioner of public lands and the director of ecology shall serve as ex officio, nonvoting members of the authority. The six appointed members, one from each of the six congressional districts surrounding Puget Sound, shall serve four-year terms. Of the initial members appointed to the authority, two shall serve for two years, two shall serve for three years, and two shall serve for four years. Thereafter members shall be appointed to four-year terms. Vacancies shall be filled by appointment for the remainder of the unexpired term of the position being vacated. The chair of the authority shall serve at the pleasure of the governor.

(2) The voting members, exclusive of the chair, shall be compensated as provided in RCW 43.03.250. The voting members shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060.

(3) The chair of the authority shall be a full time employee responsible for the administration of all functions of the authority, including hiring and terminating staff, contracting, coordinating with the governor, the legislature, and other state and local entities, and the delegation of responsibilities as deemed appropriate. The salary of the chair shall be fixed by the governor, subject to RCW 43.03.040.

(4) The chair shall prepare a budget and a work plan which are subject to review and approval by the authority.

NEW SECTION. Sec. 4. The authority shall:

(1) Prepare and adopt a comprehensive Puget Sound water quality management plan, as defined in section 8 of this act. In preparing the plan and any substantial revisions to the plan, the authority shall consult with its advisory committee or committees and appropriate federal, state, and local agencies. The authority shall also solicit extensive participation by the public by whatever means it finds appropriate, including public hearings throughout communities bordering or near Puget Sound, dissemination of information through the news media, public notices, and mailing lists, and the organization of workshops, conferences, and seminars;

(2) During the plan's initial development and any subsequent revisions, submit quarterly progress reports to the governor and the legislature.

(3) Submit the plan to the governor and the legislature no later than January 1, 1987. The authority shall review the plan at least every two years and revise the plan, as deemed appropriate;

(4) Prepare a biennial 'state of the Sound' report and submit such report to the governor, the legislature, and the state agencies and local governments identified in the plan. Copies of the report shall be made available to the public. The report shall describe the current condition of water quality and related resources in Puget Sound and shall include:

(a) The status and condition of the resources of Puget Sound, including the results of ecological monitoring, including an assessment of the economic value of Puget Sound;

(b) Current and foreseeable trends in water quality of Puget Sound and the management of its resources;

(c) Review of significant public and private activities affecting Puget Sound and an assessment of whether such activities are consistent with the plan; and

(d) Recommendations to the governor, the legislature, and appropriate state and local agencies for actions needed to remedy any deficiencies in current policies, plans, programs, or activities relating to the water quality of Puget Sound, and recommendations concerning changes necessary to protect and improve Puget Sound water quality; and

(5) Review the budgets and regulatory and enforcement activities of state agencies with responsibilities for water quality and related resources in Puget Sound.

NEW SECTION. Sec. 5. In order to carry out its responsibilities under this chapter, the authority may:

(1) Develop interim proposals and recommendations, before the plan is adopted, concerning the elements identified in section 8 of this act;

(2) Enter into, amend, and terminate contracts with individuals, corporations, or research institutions for the purposes of this chapter;

(3) Receive such gifts, grants, and endowments, in trust or otherwise, for the use and benefit of the purposes of the authority. The authority may expend the same or any income therefrom according to the terms of the gifts, grants, or endowments;

(4) Conduct studies and research relating to Puget Sound water quality;

(5) Obtain information relating to Puget Sound from other state and local agencies;

(6) Conduct appropriate public hearings and otherwise seek to broadly disseminate information concerning Puget Sound;

(7) Receive funding from other public agencies;

(8) Prepare a biennial budget request for consideration by the governor and the legislature; and

(9) Adopt rules under chapter 34.04 RCW as it deems necessary for the purposes of this chapter.

NEW SECTION. Sec. 6. (1) The authority shall appoint one or more advisory committees to assist in the development of the plan. In making these appointments, the authority shall seek to include representation of all interested parties, including local governments, environmental and health agencies, tribal organizations, business, labor, citizens' groups such as environmental and public interest organizations, agricultural interests, recreational interests, and the fisheries and shellfish industries.

(2) The advisory committee or committees shall assist the authority to formulate policy goals and strategies, review the plan and make recommendations for its amendment to the authority, review the authority's reports, and review the authority's budget request proposals.

NEW SECTION. Sec. 7. (1) The chair shall hire staff for the authority. In so doing, the chair shall recognize the many continuing planning and research activities concerning Puget Sound water quality and shall seek to acquire competent and knowledgeable staff from state, federal, and local government agencies that are currently involved in these activities.

(2) As deemed appropriate, the chair may request the state departments of ecology, community development, fisheries, game, agriculture, natural resources, and social and health services to each assign at least one employee to the authority. The chair shall enter into an interagency agreement with agencies assigning employees to the authority. Such agreement shall provide for reimbursement, by the authority to the assigning agency, of all work-related expenditures associated with the assignment of the employees. During the term of their assignment, the chair shall have full authority and responsibility for the activities of these employees.

(3) The chair shall seek assignment of appropriate federal and local government employees under available means.

NEW SECTION. Sec. 8. The plan adopted by the authority shall be a positive document prescribing the needed actions for the maintenance and enhancement of Puget Sound water quality. The plan shall address all the waters of Puget Sound, the Strait of Juan de Fuca, and, to the extent that they affect water quality in Puget Sound, all waters flowing into Puget Sound, and adjacent lands. The authority may define specific geographic boundaries within which the plan applies. The plan shall coordinate and incorporate existing planning and research efforts of state agencies and local government related to Puget Sound, and shall avoid duplication of existing efforts. The plan shall include:

(1) A statement of the goals and objectives for long and short-term management of the water quality of Puget Sound;

(2) A resource assessment which identifies critically sensitive areas, key characteristics, and other factors which lead to an understanding of Puget Sound as an ecosystem;

(3) Demographic information and assessment as relates to future water quality impacts on Puget Sound;

(4) An identification and legal analysis of all existing laws governing actions of government entities which may affect water quality management of Puget Sound, the interrelationships of those laws, and the effect of those laws on implementation of the provisions of the plan;

(5) Review and assessment of existing criteria and guidelines for governmental activities affecting Puget Sound's resources, including shoreline resources, aquatic resources, associated watersheds, recreational resources and commercial resources;

(6) Identification of research needs and priorities;

(7) Recommendations for guidelines, standards, and timetables for protection and clean-up activities and the establishment of priorities for major clean-up investments and nonpoint source management, and the projected costs of such priorities;

(8) A procedure assuring local government initiated planning for Puget Sound water quality protection;

(9) Ways to better coordinate federal, state, and local planning and management activities affecting Puget Sound's water quality;

(10) Public involvement strategies, including household hazardous waste education, community clean-up efforts, and public participation in developing and implementing the plan;

(11) Recommendations on protecting, preserving and, where possible, restoring wetlands and wildlife habitat and shellfish beds throughout Puget Sound;

(12) Recommendations for a comprehensive water quality and sediment monitoring program;

(13) Analysis of current industrial pretreatment programs for toxic wastes, and procedures and enforcement measures needed to enhance them;

(14) Recommendations for a program of dredge spoil disposal, including interim measures for disposal and storage of dredge spoil material from or into Puget Sound;

(15) Definition of major public actions subject to review and comment by the authority because of a significant impact on Puget Sound water quality and related resources, and development of criteria for review thereof;

(16) Recommendations for implementation mechanisms to be used by state and local government agencies;

(17) Standards and procedures for reporting progress by state and local governments in the implementation of the plan;

(18) An analysis of resource requirements and funding mechanisms for updating of the plan and plan implementation; and

(19) Legislation needed to assure plan implementation.

The authority shall circulate and receive comments on drafts of the plan mandated herein, and keep a record of all relevant comments made at public hearings and in writing. These records should be made easily available to interested persons.

NEW SECTION. Sec. 9. (1) In conducting planning, regulatory, and appeals actions, the state agencies and local governments identified in the plan must evaluate, and incorporate as applicable, the provisions of the plan, including any guidelines, standards, and timetables contained in the plan.

(2) The authority shall review the progress of state agencies and local governments regarding the timely implementation of the plan. Where prescribed actions have not been accomplished in accordance with the plan, the responsible state agencies and local governments shall, at the request of the authority, submit written explanations for the shortfalls, together with their proposed remedies, to the authority.

The results of the review and a description of the actions necessary to comply with the plan shall be included in the biennial state of the Sound report.

(3) The state agencies and local governments identified in the plan shall review their activities biennially and document their consistency with the plan. They shall submit written reports or updates of their findings to the authority.

(4) The authority shall review the major actions affected by the plan being considered by the state agencies and local governments and shall comment in a timely manner regarding consistency with the plan and may participate in administrative and subsequent judicial proceedings with respect to such actions. Any deviations from the plan, identified by the authority, shall be transmitted in writing by the authority to the responsible state agency or local government.

NEW SECTION. Sec. 10. (1) To implement this act, state agencies are authorized to adopt rules that are applicable to actions and activities on a less than state-wide geographic basis. State agencies are encouraged to adopt rules that protect Puget Sound water quality before the adoption of the plan by the authority.

(2) To implement this act, counties, cities, and towns are authorized to adopt ordinances, rules, and regulations that are applicable on less than a county-wide, city-wide, or town-wide basis. Counties, cities, and towns are encouraged to adopt ordinances, rules, and regulations that protect Puget Sound water quality before the adoption of the plan by the authority.

Sec. 11. Section 6, chapter 243, Laws of 1983 and RCW 90.70.900 are each amended to read as follows:

The Puget Sound water quality authority shall cease to exist and this chapter shall expire on June 30, (~~1987~~) 1991.

NEW SECTION. Sec. 12. The following acts or parts of acts are each repealed:

(1) Section 1, chapter 243, Laws of 1983 and RCW 90.70.010;

(2) Section 2, chapter 243, Laws of 1983 and RCW 90.70.020;

(3) Section 3, chapter 243, Laws of 1983 and RCW 90.70.030;

(4) Section 4, chapter 243, Laws of 1983 and RCW 90.70.040; and

(5) Section 5, chapter 243, Laws of 1983 and RCW 90.70.050.

NEW SECTION. Sec. 13. Sections 1 through 10 of this act are each added to chapter 90.70 RCW.

NEW SECTION. Sec. 14. 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. 15. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

Signed by Representatives Hine, Chair; Rust, Vice Chair; Haugen, Lundquist, May, Miller, G. Nelson, Unsoeld, Vekich and Wang.

Absent: Representatives Dobbs, Grimm, Schmidt, Smitherman and Thomas.

Referred to Committee on Ways & Means.

March 25, 1985

ESB 4169 Prime Sponsor, Senator McDermott: Extending the Thomas Burke Memorial Washington State Museum of the University of Washington. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Jacobsen, Vice Chair; Allen, Basich, Belcher, Hastings, Miller, D. Nelson, G. Nelson, Prince, Silver, Unsoeld and Vander Stoep.

Absent: Representatives Sommers, Chair; Vander Stoep, K. Wilson and Wineberry.

Passed to Committee on Rules for second reading.

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

#### MOTIONS

Mr. King moved that ENGROSSED SUBSTITUTE SENATE BILL NO. 3320 be rereferred from Committee on Social & Health Services to Committee on Ways & Means;

ENGROSSED SUBSTITUTE SENATE BILL NO. 3413 be rereferred from Committee on Commerce & Labor to Committee on Trade & Economic Development;

ENGROSSED SUBSTITUTE SENATE BILL NO. 3517 be rereferred from Committee on Education to Committee on Higher Education.

Mr. Barrett moved that the motion by Representative J. King be amended and Engrossed Substitute Senate Bill No. 3320 be deleted from the motion.

Representatives Lewis, Ballard and Brooks spoke in favor of the motion to amend the motion, and Mr. J. King spoke against it.

A division was called.

#### ROLL CALL

The Clerk called the roll on the motion by Representative Barrett to exclude Engrossed Substitute Senate Bill No. 3320 from the motion to rerefer, and the motion was lost by the following vote: Yeas, 41; nays, 52; absent, 1; excused, 4.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Sanders, Schmidt, Schoon, Silver, Smith C, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, Williams B, Williams J, Wilson S, Winsley - 41.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 52.

Absent: Representative Prince - 1.

Excused: Representatives Hankins, Locke, Smith L, West - 4.

The motion by Representative J. King was carried.



## RESOLUTION

HOUSE FLOOR RESOLUTION NO. 85-42, by Representatives McMullen, Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Ehlers, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, J. King, P. King, R. King, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, Miller, Nealey, D. Nelson, G. Nelson, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, C. Smith, L. Smith, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Vander Stoep, van Dyke, Van Luven, Vekich, Walk, Walker, Wang, West, B. Williams, J. Williams, K. Wilson, S. Wilson, Wineberry, Winsley and Zellinsky

WHEREAS, The State of Washington has received international and national recognition for its world-class environment for living and working; and

WHEREAS, The State of Washington has several attractive potential locations for the siting of the new Saturn Corporation automobile manufacturing plant; and

WHEREAS, The state has a highly skilled and productive work force, a quality educational and vocational training system and a beautiful natural and social environment; and

WHEREAS, The state is the nation's gateway to the Pacific rim, and possesses a comprehensive air, land and sea transportation system for service to domestic and Canadian markets; and

WHEREAS, The state offers the advantages of the lowest-priced electricity and natural gas in the nation and abundant water, other raw materials and aluminum production; and

WHEREAS, The State of Washington has a number of attractive sites and a growing enthusiastic partnership of business, labor and government to sustain a long-term relationship with General Motors; and

WHEREAS, Governor Booth Gardner has identified state support and encouragement of economic development as a top priority;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That General Motors Corporation is encouraged to give Washington State thorough consideration for the location of the Saturn plant and that the state will carry out all reasonable measures to accommodate the timely siting of the General Motors facility; and

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted to the Governor of the State of Washington, the President and Chief Executive Officer of General Motors and the President of Saturn Corporation.

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

Representative Appelwick was excused.

There being no objection, the House reverted to the sixth order of business.

## SECOND READING

SENATE BILL NO. 3368, by Senators Thompson, Owen and Lee

Revising provisions relating to the sale of salmon.

The bill was read the second time. On motion of Mr. J. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3368, and the bill passed the House by the following vote: Yeas, 93; excused, 5.

Voting yea: Representatives Addison, Allen, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J. King P. King R. Kremen,

Leonard, Lewis, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Excused: Representatives Appelwick, Hankins, Locke, Smith L, West - 5.

Senate Bill No. 3368, having received the 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. 3427, by Senators Moore, Newhouse, Bender and Sellar  
Regulating domestic insurance holding corporations.

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

ENGROSSED SENATE BILL NO. 3572, by Senators McDermott, Lee and Rasmussen; by State Treasurer, Office of Financial Management and State Auditor request

Correcting nomenclature in accounts and funds to fit generally accepted accounting procedures.

The bill was read the second time. Committee on Ways & Means recommendation: Majority, do pass as amended. (For amendments, see Journal, 43rd Day, February 25, 1985.)

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

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3572 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; excused, 5.

Voting yea: Representatives Addison, Allen, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Excused: Representatives Appelwick, Hankins, Locke, Smith L, West - 5.

Engrossed Senate Bill No. 3572 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.

Representatives Appelwick and Locke appeared at the bar of the House.

SENATE BILL NO. 3079, by Senators Talmadge, Newhouse, Halsan and Moore

Making technical corrections and reenacting procedural provisions from the Washington trust act of 1984.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For amendment, see Journal, 43rd Day, February 25, 1985.)

Mr. Armstrong moved adoption of the committee amendment.

Mr. Armstrong moved adoption of the following amendment to the committee amendment:

On page 5, line 19 after "RCW." insert "The provisions of this chapter do not supersede the otherwise applicable provisions of chapters 11.24, 11.28, 11.40, 11.52, 11.56, or 11.60 RCW."

Representatives Armstrong and Padden spoke in favor of the amendment to the committee amendment, and it was adopted.

On motion of Mr. Armstrong, the following amendments to the committee amendment were adopted:

On page 8, line 30, after "reenacted" insert "and amended"

On page 9, line 2, after "section." insert "Those persons may also reach an agreement concerning a matter in RCW 11.96.070(4) as long as those persons, rather than the court, determine that the powers to be conferred are not inconsistent with the provisions or purposes of the will or trust."

On page 1, line 6 of the title, after "11.96.160," strike "11.96.170," and on page 1, line 6 of the title, after "11.96.180;" insert "reenacting and amending RCW 11.96.170:"

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3079 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J. King P. King R. Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D. Nelson G. Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C. Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, Williams B. Williams J. Wilson K. Wilson S. Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Hankins, Smith L, West - 3.

Senate Bill No. 3079 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 SENATE

March 25, 1985

Mr. Speaker:

The President has signed:

SENATE BILL NO. 3040,  
SENATE BILL NO. 3041,  
SENATE BILL NO. 3074,  
SENATE BILL NO. 3075,  
SENATE BILL NO. 3077,  
SENATE BILL NO. 3078,  
SUBSTITUTE SENATE BILL NO. 3131,  
SENATE BILL NO. 3270,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

#### SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE BILL NO. 3040,  
SENATE BILL NO. 3041,  
SENATE BILL NO. 3074,  
SENATE BILL NO. 3075,  
SENATE BILL NO. 3077,  
SENATE BILL NO. 3078,  
SUBSTITUTE SENATE BILL NO. 3131,  
SENATE BILL NO. 3270.

SENATE BILL NO. 3551, by Senator McDermott

Clarifying the tax statutes as a result of Bond v. Burrows 103 Wn. 2d 153 (1984).

The bill was read the second time.

Mr. Hastings moved adoption of the following amendment:

On page 3, after line 1 strike all the material down to and including "There" on line 2 and insert "Until and including the thirtieth day of June, 1985, there"

Mr. Hastings spoke in favor of the amendment.

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

Representatives Braddock and J. King spoke against the amendment, and Representatives Bond and Fuhrman spoke in favor of it.

Mr. Hastings spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Hastings to Senate Bill No. 3551, and the amendment was not adopted by the following vote: Yeas, 42; nays, 52; absent, 1; excused, 3.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, Williams B, Williams J, Wilson S, Winsley - 42.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Vaile, Vekich, Waik, Wang, Wilson K, Wineberry, and Mr. Speaker - 52.

Absent: Representative Zellinsky - 1.

Excused: Representatives Hankins, Smith L, West - 3.

Mr. G. Nelson moved adoption of the following amendments:

On page 3, line 10 after "(law)" insert "PROVIDED, That until and including the thirtieth day of June, 1993, as to such persons making sales at retail in border counties other than retail sales of telephone services, as defined in RCW 82.04.065, such additional tax shall be levied and collected from such persons with respect to such sales in border counties in an amount equal to thirty-two percent multiplied by the tax payable under the provisions of RCW 82.04.250"

On page 4, beginning on line 8 strike all of section 6 and renumber the remaining sections consecutively and correct internal references accordingly.

Representatives G. Nelson, Vander Stoep, Taylor and Nealey spoke in favor of the amendments and Mr. Braddock spoke against them.

Mr. G. Nelson spoke again in favor of the amendments, and Mr. J. King opposed them.

The amendments were not adopted.

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

#### MOTIONS

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

On motion of Mr. J. King, HOUSE BILL NO. 811 and HOUSE BILL NO. 1081 were rereferred from Select Committee on the Clean-up and Management of Puget Sound to Committee on Ways & Means.

On motion of Mr. J. King, SUBSTITUTE SENATE BILL NO. 4114 was rereferred from Committee on Financial Institutions & Insurance to Committee on Judiciary.

#### STATEMENT FOR THE JOURNAL

If I had been in attendance at Session on March 25 and March 27, 1985, this is how I would have voted:

YEA - Final passage of: SB 3040; SB 3041; SB 3072, SB 3073, SB 3074, SB 3075, SB 3076, also the committee amendment to SB 3076, SB 3077, SB 3078, SSB 3131, SB 3270, SB 3368, ESB 3572 and SB 3079.

NAY - on ESHB 386 as amended by the Senate; on motion to rerefer ESSB 3320 to Committee on Ways & Means; and the Hastings' amendment to SB 3551.

SHIRLEY HANKINS, 8th District.

MOTION

On motion of Mr. J. King, the House adjourned until 10:00 a.m., Friday, April 29, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk

## SEVENTY-FIFTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Friday, March 29, 1985.

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

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Suzanne Spolar and Mario Ortiz. Prayer was offered by Reverend Kent McCulloch, Minister of St. Mary's Episcopal Church of Tacoma.

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

## MESSAGES FROM THE SENATE

March 27, 1985

Mr. Speaker:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 16,  
HOUSE BILL NO. 312,  
SUBSTITUTE HOUSE BILL NO. 850,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 27, 1985

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 386,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 28, 1985

Mr. Speaker:

The President has signed:

SENATE BILL NO. 3368,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## REPORTS OF STANDING COMMITTEES

March 28, 1985

HB 1084

Prime Sponsor, Representative R. King: Revising vocational rehabilitation laws. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Betrozoff, Chandler, Ebersole, Fisch, Fisher, R. King, O'Brien, Patrick, Sayan, C. Smith, Walker and J. Williams.

Passed to Committee on Rules for second reading.

March 26, 1985

SSB 3007

Prime Sponsor, Committee on Transportation: Specifying motor vehicle licensing exemptions to be declared by the department for vehicles registered in other jurisdictions. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendments: Strike everything after the enacting clause and insert the following:

"NEW SECTION, Sec. 1. A new section is added to chapter 46.16 RCW to read as follows:

(1) For the purposes of vehicle license registration, a resident is a person who:

- (a) Owns a vehicle that is licensable under this chapter and that is physically present in the state of Washington more than six months in any continuous twelve-month period; or  
 (b) Resides in this state more than six months in any continuous twelve-month period; or  
 (c) Becomes a registered voter in this state; or  
 (d) Receives benefits under one of the Washington public assistance programs; or  
 (e) Declares himself to be a resident for the purpose of obtaining a state license or tuition fees at resident rates; or

(f) Is permanently employed in this state.

(2) A resident of the state shall register under chapters 46.12 and 46.16 RCW a motor vehicle to be operated on the highways of the state.

(3) It is a misdemeanor for a person to violate this section.

Sec. 2. Section 12, chapter 10, Laws of 1982 as amended by section 6, chapter 164, Laws of 1983 and RCW 46.63.020 are each amended to read as follows:

Failure to perform any act required or the performance of any act prohibited by this title or an equivalent administrative regulation or local law, ordinance, regulation, or resolution relating to traffic including parking, standing, stopping, and pedestrian offenses, is designated as a traffic infraction and may not be classified as a criminal offense, except for an offense contained in the following provisions of this title or a violation of an equivalent administrative regulation or local law, ordinance, regulation, or resolution:

(1) RCW 46.09.120(2) relating to the operation of a nonhighway vehicle while under the influence of intoxicating liquor or a controlled substance;

(2) RCW 46.09.130 relating to operation of nonhighway vehicles;

(3) RCW 46.10.090(2) relating to the operation of a snowmobile while under the influence of intoxicating liquor or narcotics or habit-forming drugs or in a manner endangering the person of another;

(4) RCW 46.10.130 relating to the operation of snowmobiles;

(5) Chapter 46.12 RCW relating to certificates of ownership and registration;

(6) Section 1 of this act relating to registration of motor vehicles by residents;

(7) RCW 46.16.160 relating to vehicle trip permits;

~~((7))~~ (8) RCW 46.20.021 relating to driving without a valid driver's license;

~~((8))~~ (9) RCW 46.20.336 relating to the unlawful possession and use of a driver's license;

~~((9))~~ (10) RCW 46.20.342 relating to driving with a suspended or revoked license;

~~((10))~~ (11) RCW 46.20.410 relating to the violation of restrictions of an occupational driver's license;

~~((11))~~ (12) RCW 46.20.420 relating to the operation of a motor vehicle with a suspended or revoked license;

~~((12))~~ (13) Chapter 46.29 RCW relating to financial responsibility;

~~((13))~~ (14) RCW 46.44.180 relating to operation of mobile home pilot vehicles;

~~((14))~~ (15) RCW 46.48.175 relating to the transportation of dangerous articles;

~~((15))~~ (16) RCW 46.52.010 relating to duty on striking an unattended car or other property;

~~((16))~~ (17) RCW 46.52.020 relating to duty in case of injury to or death of a person or damage to an attended vehicle;

~~((17))~~ (18) RCW 46.52.090 relating to reports by repairmen, storagemen, and appraisers;

~~((18))~~ (19) RCW 46.52.100 relating to driving under the influence of liquor or drugs;

~~((19))~~ (20) RCW 46.52.108 relating to disposal of abandoned vehicles or hulks;

~~((20))~~ (21) RCW 46.52.130 relating to confidentiality of the driving record to be furnished to an insurance company and an employer;

~~((21))~~ (22) RCW 46.52.210 relating to abandoned vehicles or hulks;

~~((22))~~ (23) RCW 46.61.015 relating to obedience to police officers, flagmen, or fire fighters;

~~((23))~~ (24) RCW 46.61.020 relating to refusal to give information to or cooperate with an officer;

~~((24))~~ (25) RCW 46.61.022 relating to failure to stop and give identification to an officer;

~~((25))~~ (26) RCW 46.61.024 relating to attempting to elude pursuing police vehicles;

~~((26))~~ (27) RCW 46.61.500 relating to reckless driving;

~~((27))~~ (28) RCW 46.61.502 and 46.61.504 relating to persons under the influence of intoxicating liquor or drugs;

~~((28))~~ (29) RCW 46.61.520 relating to vehicular homicide by motor vehicle;

~~((29))~~ (30) RCW 46.61.522 relating to vehicular assault;

~~((30))~~ (31) RCW 46.61.525 relating to negligent driving;

~~((31))~~ (32) RCW 46.61.530 relating to racing of vehicles on highways;

~~((32))~~ (33) RCW 46.61.685 relating to leaving children in an unattended vehicle with the motor running;

~~((33))~~ (34) RCW 46.64.010 relating to unlawful cancellation of or attempt to cancel a traffic citation;

~~((34))~~ (35) RCW 46.64.020 relating to nonappearance after a written promise;

~~((35))~~ (36) RCW 46.64.048 relating to attempting, aiding, abetting, coercing, and committing crimes;

~~((36))~~ (37) Chapter 46.65 RCW relating to habitual traffic offenders;

~~((37))~~ (38) Chapter 46.70 RCW relating to unfair motor vehicle business practices, except where that chapter provides for the assessment of monetary penalties of a civil nature;

~~((39))~~ (39) Chapter 46.72 RCW relating to the transportation of passengers in for hire vehicles;

~~((39))~~ (40) Chapter 46.80 RCW relating to motor vehicle wreckers;

~~((40))~~ (41) Chapter 46.82 RCW relating to driver's training schools.

Sec. 3. Section 6, chapter 106, Laws of 1963 as amended by section 21, chapter 227, Laws of 1982 and RCW 46.85.060 are each amended to read as follows:

In the absence of an agreement or arrangement with another jurisdiction, the department may examine the laws and requirements of such jurisdiction and declare the extent and nature of exemptions, benefits and privileges to be extended to vehicles properly registered or licensed in such other jurisdiction, or to the owners of such vehicles, which shall, in the judgment of the department, be in the best interest of this state and the citizens thereof and which shall be fair and equitable to this state and the citizens thereof, and all of the same shall be determined on the basis and recognition of the benefits which accrue to the economy of this state from the uninterrupted flow of commerce. Declarations of exemptions, benefits, and privileges issued by the department shall include at least the following exemptions:

(1) Nonresident persons may operate a vehicle in this state that is currently licensed in another jurisdiction for a period not to exceed one hundred eighty days in a calendar year, but a nonresident person employed in Washington for more than one hundred eighty days may operate a vehicle licensed in another jurisdiction as long as no permanent, temporary, or part-time residence is maintained in this state.

(2) Nonresident salespersons based at a location outside Washington are permitted to operate vehicles not to exceed twelve thousand pounds registered gross vehicle weight licensed in another jurisdiction in this state without registration.

(3) A vehicle or a combination of vehicles, not exceeding a registered gross or combined gross vehicle weight of twelve thousand pounds, which is properly base licensed in another jurisdiction, and used for business purposes in this state is not required to obtain Washington vehicle license registration except when such vehicle is owned or operated by a business or branch office of a business located in Washington.

(4) The department of licensing, after consultation with the department of revenue, shall adopt such rules as it deems necessary for the administration of these exemptions, benefits, and privileges.

Sec. 4. Section 51, chapter 37, Laws of 1980 as amended by section 2, chapter 26, Laws of 1983 and RCW 82.12.0251 are each amended to read as follows:

The provisions of this chapter shall not apply 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 or trailer which is registered or licensed under the laws of the state of his residence, and which is not required to be registered or licensed under the laws of this state, including motor vehicles or trailers exempt pursuant to a declaration issued by the department of licensing under RCW 46.85.060; or in respect to the use of household goods, personal effects, and private automobiles by a bona fide resident of this state or nonresident members of the armed forces who are stationed in this state pursuant to military orders, 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))~~ ninety days prior to the time he entered this state.

Sec. 5. Section 82.12.045, chapter 15, Laws of 1961 as last amended by section 2, chapter 77, Laws of 1983 and RCW 82.12.045 are each amended to read as follows:

In the collection of the use tax on motor vehicles, the department of revenue may designate the county auditors of the several counties of the state as its collecting agents. Upon such designation, it shall be the duty of each county auditor to collect the tax at the time an applicant applies for the registration of, and transfer of title to, the motor vehicle, except in the following instances: (1) Where the applicant exhibits a dealer's report of sale showing that the retail sales tax has been collected by the dealer; (2) where the application is for the renewal of registration; (3) where the applicant presents a written statement signed by the department of revenue, or its duly authorized agent showing that no use tax is legally due; or (4) where the applicant presents satisfactory evidence showing that the retail sales tax or the use tax has been paid by him on the vehicle in question. The term 'motor vehicle,' as used in this section means and includes all motor vehicles, trailers and semitrailers used, or of a type designed primarily to be used, upon the public streets and highways, for the convenience or pleasure of the owner, or for the conveyance, for hire or otherwise, of persons or property, including fixed loads, facilities for human habitation, and vehicles carrying exempt licenses. It shall be the duty of every applicant for registration and transfer of certificate of title who is subject to payment of tax under this section to declare upon his application the value of the vehicle for which application is made, which shall consist of the consideration paid or contracted to be paid therefor. The value of the article used for the purpose of determining the amount of use tax payable by the applicant under this chapter shall not exceed the value of the vehicle



declared by the applicant, except in the case of a motor vehicle for which no consideration is paid or contracted to be paid. Any person willfully misrepresenting, or failing or refusing to declare upon his application, such value shall be guilty of a gross misdemeanor.

Each county auditor who acts as agent of the department of revenue shall at the time of remitting license fee receipts on motor vehicles subject to the provisions of this section pay over and account to the state treasurer for all use tax revenue collected under this section, after first deducting as his collection fee the sum of two dollars for each motor vehicle upon which the tax has been collected. All revenue received by the state treasurer under this section shall be credited to the general fund. The auditor's collection fee shall be deposited in the county current expense fund. A duplicate of the county auditor's transmittal report to the state treasurer shall be forwarded forthwith to the department of revenue.

Any applicant who has paid use tax to a county auditor under this section may apply to the department of revenue for refund thereof if he has reason to believe that such tax was not legally due and owing. No refund shall be allowed unless application therefor is received by the department of revenue within two years after payment of the tax. Upon receipt of an application for refund the department of revenue shall consider the same and issue its order either granting or denying it and if refund is denied the taxpayer shall have the right of appeal as provided in RCW 82.32.170, 82.32.180 and 82.32.190.

The provisions of this section shall be construed as cumulative of other methods prescribed in chapters 82.04 to 82.32 RCW, inclusive, for the collection of the tax imposed by this chapter. The department of revenue shall have power to promulgate such rules and regulations as may be necessary to administer the provisions of this section. Any duties required by this section to be performed by the county auditor may be performed by the director of licensing but no collection fee shall be deductible by said director in remitting use tax revenue to the state treasurer.

**NEW SECTION, Sec. 6.** This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately, except for section 1 of this act, which shall take effect September 1, 1985.\*

In line 1 of the title, after "RCW" strike the remainder of the title, and insert "46.63.020, 46.85.060, 82.12.0251, and 82.12.045; adding a new section to chapter 46.16 RCW; prescribing penalties; declaring an emergency; and providing an effective date."

Signed by Representatives Walk, Chair; Wineberry, Vice Chair; Baugher, Gallagher, Haugen, Kremen, Patrick, Sutherland, Tanner, Thomas, Valle, J. Williams, K. Wilson and Zellinsky.

Voting nay: Representative Brough.

Absent: Representatives Betzoff, Bond, Fisch, Fisher, Hankins, Lundquist, McMullen, Prince, Schmidt, C. Smith and Van Luven.

Passed to Committee on Rules for second reading.

March 26, 1985

ESSB 3012 Prime Sponsor, Committee on Judiciary: Enacting penalties and procedures to prevent harassment. Reported by Committee on Judiciary

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

Strike everything after the enacting clause and insert the following:

**\*NEW SECTION, Sec. 1.** The legislature finds that the prevention of serious, personal harassment is an important government objective. Toward that end, this chapter is aimed at making unlawful the repeated invasions of a person's privacy by acts and threats which show a pattern of harassment designed to coerce, intimidate, or humiliate the victim.

The legislature further finds that the protection of such persons from harassment can be accomplished without infringing on constitutionally protected speech or activity.

**NEW SECTION, Sec. 2.** (1) A person is guilty of harassment if:

- (a) Without lawful authority, the person knowingly threatens:
- (i) To cause bodily injury in the future to the person threatened or to any other person; or
  - (ii) To cause physical damage to the property of a person other than the actor; or
  - (iii) To subject the person threatened or any other person to physical confinement or restraint; or

(iv) Maliciously to do any other act which is intended to substantially harm the person threatened or another with respect to his or her physical or mental health or safety; and

(b) The person by words or conduct places the person threatened in reasonable fear that the threat will be carried out.

(2) A person who harasses another is guilty of a gross misdemeanor punishable under chapter 9A.20 RCW, unless the person has previously been convicted in this or any other state of any crime of harassment, as defined in section 6 of this act, of the same victim or members of the victim's family or household or any person specifically named in a no-contact or no-

harassment order, in which case the person is guilty of a class C felony punishable under chapter 9A.20 RCW.

(3) The penalties provided in this section for harassment do not preclude the victim from seeking any other remedy otherwise available under law.

**NEW SECTION. Sec. 3.** Any harassment offense committed as set forth in section 2 of this act may be deemed to have been committed where the conduct occurred or at the place from which the threat or threats were made or at the place where the threats were received.

**NEW SECTION. Sec. 4.** (1) Because of the likelihood of repeated harassment directed at those who have been victims of harassment in the past, when any defendant charged with a crime involving harassment is released from custody before trial on bail or personal recognizance, the court authorizing the release may require that the defendant:

(a) Stay away from the home, school, business, or place of employment of the victim or victims of the alleged offense or other location, as shall be specifically named by the court in the order;

(b) Refrain from contacting, intimidating, threatening, or otherwise interfering with the victim or victims of the alleged offense and such other persons, including but not limited to members of the family or household of the victim, as shall be specifically named by the court in the order.

(2) An intentional violation of a court order issued under this section is a gross misdemeanor. The written order releasing the defendant shall contain the court's directives and shall bear the legend: Violation of this order is a criminal offense under chapter \_\_\_ RCW (chapter \_\_\_, Laws of 1985). A certified copy of the order shall be provided to the victim by the clerk of the court.

**NEW SECTION. Sec. 5.** A defendant who is charged by citation, complaint, or information with an offense involving harassment and not arrested shall appear in court for arraignment in person as soon as practicable, but in no event later than fourteen days after the next day on which court is in session following the issuance of the citation or the filing of the complaint or information. At that appearance, the court shall determine the necessity of imposing a no-contact or no-harassment order or other conditions of pretrial release according to the procedures established by court rule for preliminary appearance or an arraignment.

**NEW SECTION. Sec. 6.** As used in this chapter, 'harassment' may include but is not limited to any of the following crimes:

- (1) Harassment (section 2 of this act);
- (2) Malicious harassment (RCW 9A.36.080);
- (3) Telephone harassment (RCW 9.61.230);
- (4) Assault in the first degree (RCW 9A.36.010);
- (5) Assault in the second degree (RCW 9A.36.020);
- (6) Simple assault (RCW 9A.36.040);
- (7) Reckless endangerment (RCW 9A.36.050);
- (8) Extortion in the first degree (RCW 9A.56.120);
- (9) Extortion in the second degree (RCW 9A.56.130);
- (10) Coercion (RCW 9A.36.070);
- (11) Burglary in the first degree (RCW 9A.52.020);
- (12) Burglary in the second degree (RCW 9A.52.030);
- (13) Criminal trespass in the first degree (RCW 9A.52.070);
- (14) Criminal trespass in the second degree (RCW 9A.52.080);
- (15) Malicious mischief in the first degree (RCW 9A.48.070);
- (16) Malicious mischief in the second degree (RCW 9A.48.080);
- (17) Malicious mischief in the third degree (RCW 9A.48.090);
- (18) Kidnapping in the first degree (RCW 9A.40.020);
- (19) Kidnapping in the second degree (RCW 9A.40.030);
- (20) Unlawful imprisonment (RCW 9A.40.040);
- (21) Rape in the first degree (RCW 9A.44.040);
- (22) Rape in the second degree (RCW 9A.44.050);
- (23) Rape in the third degree (RCW 9A.44.060);
- (24) Indecent liberties (RCW 9A.44.100);
- (25) Statutory rape in the first degree (RCW 9A.44.070);
- (26) Statutory rape in the second degree (RCW 9A.44.080); and
- (27) Statutory rape in the third degree (RCW 9A.44.090).

**NEW SECTION. Sec. 7.** Any law enforcement agency in this state may enforce this chapter as it relates to orders restricting the defendants' ability to have contact with the victim or others.

**NEW SECTION. Sec. 8.** The victim shall be informed by local law enforcement agencies or the prosecuting attorney of the final disposition of the case in which the victim is involved. If a defendant is found guilty of a crime of harassment and a condition of the sentence restricts the defendant's ability to have contact with the victim or witnesses, the condition shall be recorded and a written certified copy of that order shall be provided to the victim or witnesses by the clerk of the court.

NEW SECTION. Sec. 9. A peace officer shall not be held liable in any civil action for an arrest based on probable cause, enforcement in good faith of a court order, or any other action or omission in good faith under this chapter arising from an alleged incident of harassment brought by any party to the incident.

NEW SECTION. Sec. 10. As used in RCW 9.61.230 or section 2 of this act, a person has been 'convicted' at such time as a plea of guilty has been accepted or a verdict of guilty has been filed, notwithstanding the pendency of any future proceedings including but not limited to sentencing, posttrial motions, and appeals.

Sec. 11. Section 1, chapter 16, Laws of 1967 and RCW 9.61.230 are each amended to read as follows:

Every person who, with intent to harass, intimidate, torment or embarrass any other person, shall make a telephone call to such other person:

(1) Using any lewd, lascivious, profane, indecent, or obscene words or language, or suggesting the commission of any lewd or lascivious act; or

(2) Anonymously or repeatedly or at an extremely inconvenient hour, whether or not conversation ensues; or

(3) Threatening to inflict injury on the person or property of the person called or any member of his or her family

~~(4) without purpose of legitimate communication) or household;~~  
shall be guilty of a ~~((misdemeanor))~~ gross misdemeanor, unless that person has previously been convicted of any crime of harassment, as defined in section 6 of this 1985 act, with the same victim or member of the victim's family or household or any person specifically named in a no-contact or no-harassment order in this or any other state, in which case the person is guilty of a class C felony punishable under chapter 9A.20 RCW.

NEW SECTION. Sec. 12. This act shall be known as the anti-harassment act of 1985.

NEW SECTION. Sec. 13. Sections 1 through 10 of this act shall constitute a new chapter in Title 9A RCW.

NEW SECTION. Sec. 14. 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. 15. 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 May 1, 1985."

On page 1, beginning on line 2 of the title, strike "repealing RCW 9.58.110 and 9.58.120;"

Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Crane, Dellwo, Hargrove, P. King, Lewis, G. Nelson, Niemi, Padden, Schmidt, Schoon, Tilly, West and Wang.

Voting nay: Representative Dellwo.

Absent: Representatives Appelwick, Locke and Van Luven.

Passed to Committee on Rules for second reading.

March 27, 1985

SSB 3087 Prime Sponsor, Committee on Judiciary: Revising provisions relating to disposition of juvenile offenders. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, P. King, Lewis, Locke, G. Nelson, Padden, Schmidt, Schoon, Tilly, Van Luven and Wang.

Absent: Representatives Niemi and West.

Passed to Committee on Rules for second reading.

March 27, 1985

SSB 3090 Prime Sponsor, Committee on Judiciary: Providing for state reimbursement of the expenses of law enforcement officers in coroner's inquests. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, P. King, Lewis, Locke, G. Nelson, Padden, Schmidt, Schoon, Tilly, Van Luven and Wang.

Absent: Representatives Niemi and West.

Passed to Committee on Rules for second reading.

March 26, 1985

SB 3143 Prime Sponsor, Senator Talmadge: Extending the period for reregistration of trade names with the state. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Crane, Dellwo, Hargrove, P. King, Lewis, G. Nelson, Padden, Schmidt, Schoon, Tilly, West and Wang.

Absent: Representatives Appelwick, Lewis, Locke, Niemi and Van Luvan.

Passed to Committee on Rules for second reading.

March 26, 1985

SSB 3162 Prime Sponsor, Committee on Commerce & Labor: Defining employer and employee relationships for entertainers for unemployment insurance. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Betrozoff, Chandler, Ebersole, Fisch, Fisher, Patrick, Sayan, C. Smith, Walker and J. Williams.

Absent: Representatives R. King and O'Brien.

Passed to Committee on Rules for second reading.

March 26, 1985

SSB 3165 Prime Sponsor, Committee on Judiciary: Creating new superior court judicial positions. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Crane, Dellwo, Hargrove, P. King, Lewis, G. Nelson, Padden, Schmidt, Schoon, Tilly, West and Wang.

Absent: Representatives Scott, Vice Chair; Appelwick, Locke, Niemi and Van Luvan.

Referred to Committee on Ways & Means.

March 27, 1985

ESB 3176 Prime Sponsor, Senator Granlund: Revising population limitations in juvenile residential facilities. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 12 after "release" strike the remainder of the sentence down to the period on line 15.

Signed by Representatives Brekke, Chair; Day, Vice Chair; Armstrong, Braddock, Brooks, Dellwo, Leonard, Lewis, Lux, Padden, Scott, Tanner and Winsley.

Absent: Representatives Ballard, West and S. Wilson.

Passed to Committee on Rules for second reading.

March 26, 1985

SSB 3198 Prime Sponsor, Committee on Judiciary: Revising provisions of the victims of sexual assault act. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Crane, Dellwo, Hargrove, P. King, Lewis, G. Nelson, Niemi, Padden, Schmidt, Schoon, Tilly, West and Wang.

Absent: Representatives Appelwick, Lewis, Locke, Niemi and Van Luvan.

Referred to Committee on Ways & Means.

March 28, 1985

SSB 3201 Prime Sponsor, Committee on Parks & Ecology: Classifying PCBs as dangerous waste. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 6 strike "as dangerous wastes" and insert "under chapter 70.105 RCW"

Signed by Representatives Rust, Chair; Unsoeld, Vice Chair; Allen, Barnes, Brough, Isaacson, Jacobsen, Lux, May, Nutley and Valle.

Absent: Representatives Bond, Brekke, R. King and Lewis.

Passed to Committee on Rules for second reading.

March 26, 1985

ESB 3214 Prime Sponsor, Senator Wojahn: Declaring economic development programs with nonprofit corporations to be a public purpose for cities and counties. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass with the following amendments:

On page 1, after line 15 insert the following section:

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

On page 1, line 2 of the title after "35.21 RCW;" strike "and" and after "36.01 RCW" insert "; and declaring an emergency"

Signed by Representatives McMullen, Chair; Kremen, Vice Chair; Braddock, Day, Doty, Hargrove, J. King, Lundquist, May, Niemi, Rayburn, Schmidt, Schoon, Scott, Silver, L. Smith, Smitherman, Tanner, Thomas, Vekich, B. Williams and Wineberry.

Absent: Representatives Dobbs and Vekich.

Passed to Committee on Rules for second reading.

March 26, 1985

SB 3225 Prime Sponsor, Senator Fleming: Allowing savings banks to invest in the African Development Bank. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 8 after "Bank" insert "or in obligations issued or guaranteed by any multilateral development bank in which the United States government formally participates.

NEW SECTION, Sec. 2. A new section is added to chapter 30.04 RCW to read as follows:

Any bank or trust company may invest in obligations issued or guaranteed by any multilateral development bank in which the United States government formally participates. Such investment in any one multilateral development bank shall not exceed five percent of the bank's or trust company's paid-in capital and surplus.

NEW SECTION, Sec. 3. A new section is added to chapter 33.24 RCW to read as follows:

An association may invest in obligations issued or guaranteed by any multilateral development bank in which the United States government formally participates. Such investment in any one multilateral development bank shall not exceed five percent of the association's assets."

On page 1, line 1 of the title after "Bank;" strike all material to and including "RCW" on line 2 and insert "adding a new section to chapter 30.04 RCW; adding a new section to chapter 32.20 RCW; and adding a new section to chapter 33.24 RCW"

Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Addison, Barrett, Crane, Dellwo, Grimm, Holland, Locke, Nutley, Prince, West and Winsley.

Voting nay: Representative P. King.

Passed to Committee on Rules for second reading.

March 26, 1985

SSB 3240 Prime Sponsor, Committee on Judiciary: Authorizing court to restrain accused offender from entering family home in cases of child abuse. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Crane, Dellwo, Hargrove, P. King, Lewis, G. Nelson, Padden, Schmidt, Schoon, Tilly, West and Wang.

Absent: Representatives Appelwick, Locke, Niemi and Van Luvan.

Passed to Committee on Rules for second reading.

March 26, 1985

SSB 3249 Prime Sponsor, Committee on Financial Institutions: Specifying permissible terms of group life insurance for members of the Washington national guard. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass with the following amendment:  
On page 1, line 18 after "guard" insert "or reserves"

Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Addison, Barrett, Crane, Dellwo, Grimm, Holland, Locke, Nutley, Prince, West and Winsley.

Passed to Committee on Rules for second reading.

March 26, 1985

SSB 3254 Prime Sponsor, Committee on Judiciary: Revising certain provisions of domestic violence prevention laws. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendments:  
Strike everything after the enacting clause and insert the following:

\*Sec. 1. Section 3, chapter 263, Laws of 1984 and RCW 26.50.020 are each amended to read as follows:

(1) Any person may seek relief under this chapter by filing a petition with a court alleging that the person has been the victim of domestic violence committed by the respondent. The person may petition for relief on behalf of himself or herself and on behalf of minor family or household members.

(2) The courts defined in RCW 26.50.010(3) have jurisdiction over proceedings under this chapter. ~~((If a proceeding under chapter 26.09, 26.12, or 26.26 RCW is commenced in a superior court before or after the filing of an action in a district or municipal court under this chapter, then the superior court shall have exclusive jurisdiction over proceedings under this chapter. Any municipal or district court order entered while that court had jurisdiction remains valid until superseded by a superior court order.))~~ The jurisdiction of district or municipal courts under this chapter shall be limited to the issuance and enforcement of temporary orders for protection provided for in RCW 26.50.070 if: (a) A superior court has exercised or is exercising jurisdiction over a proceeding under this title or chapter 13.34 RCW involving the parties; (b) the petition for relief under this chapter presents a child custody or visitation issue; or (c) the petition for relief under this chapter requests the court to exclude a party from the dwelling which the parties share. When the jurisdiction of a district or municipal court is limited to the issuance and enforcement of a temporary order, the district or municipal court shall set the full hearing provided for in RCW 26.50.050 in superior court and transfer the case. If the notice and order are not served on the respondent in time for the full hearing, the issuing court shall have concurrent jurisdiction with the superior court to extend the order for protection.

(3) An action under this chapter shall be filed in the county or the municipality where the petitioner resides, unless the petitioner has left the residence or household to avoid abuse. In that case, the petitioner may bring an action in the county or municipality of the previous or the new household or residence.

(4) A person's right to petition for relief under this chapter is not affected by the person leaving the residence or household to avoid abuse.

~~((5) If an action under this chapter is commenced in a district or municipal court and a petitioner or respondent contests custody or visitation rights, then, upon the motion of either party containing proof that the petition for relief under this chapter has been filed with the superior court, the district or municipal court shall dismiss the action:))~~

Sec. 2. Section 4, chapter 263, Laws of 1984 and RCW 26.50.030 are each amended to read as follows:

There shall exist an action known as a petition for an order for protection in cases of domestic violence.

(1) A petition for relief shall allege the existence of domestic violence, and shall be accompanied by an affidavit made under oath stating the specific facts and circumstances from which relief is sought.

(2) A petition for relief may be made regardless of whether or not there is a pending lawsuit, complaint, petition, or other action between the parties except in cases where the court realigns petitioner and respondent in accordance with RCW 26.50.060(3).

(3) All court clerk's offices shall make available simplified forms and instructional brochures. Any assistance or information provided by clerks under this section does not constitute the practice of law and clerks are not responsible for incorrect information contained in a petition.

(4) A filing fee of twenty dollars shall be charged for proceedings under this section. No filing fee may be charged for: (a) A petition filed in an existing action or under an existing

cause number brought under this chapter in the jurisdiction where the relief is sought; or (b) the transfer of a case from district or municipal court to superior court under RCW 26.50.020(2). Forms and instructional brochures shall be provided free of charge.

(5) A person is not required to post a bond to obtain relief in any proceeding under this section.

Sec. 3. Section 31, chapter 263, Laws of 1984 and RCW 26.50.035 are each amended to read as follows:

The administrator for the courts shall develop and prepare, in consultation with interested persons, the forms and instructional brochures required under RCW 26.50.030(3). ~~((These forms shall be distributed to and available for use by the court clerks before September 1, 1984.))~~ The administrator for the courts shall distribute a master copy of the forms and instructional brochures to all court clerks.

Sec. 4. Section 5, chapter 263, Laws of 1984 and RCW 26.50.040 are each amended to read as follows:

(1) Persons seeking relief under this chapter may file an application for leave to proceed in forma pauperis on forms supplied by the court. If the court determines that a petitioner lacks the funds to pay the costs of filing, the petitioner shall be granted leave to proceed in forma pauperis and no filing fee or any other court related fees shall be charged by the court to the petitioner for relief sought under this chapter. If the petitioner is granted leave to proceed in forma pauperis, then no fees for service may be charged to the petitioner.

(2) For the purpose of determining whether a petitioner has the funds available to pay the costs of filing an action under this chapter, the income of the household or family member named as the respondent is not considered.

Sec. 5. Section 7, chapter 263, Laws of 1984 and RCW 26.50.060 are each amended to read as follows:

(1) Upon notice and after hearing, the court may provide relief as follows:

~~((1))~~ (a) Restrain a party from committing acts of domestic violence;

~~((2))~~ (b) Exclude the respondent from the dwelling which the parties share or from the residence of the petitioner;

~~((3))~~ (c) On the same basis as is provided in chapter 26.09 RCW, award temporary custody and establish temporary visitation with regard to minor children of the parties, and restrain any party from interfering with the custody of the minor children;

~~((4))~~ (d) Order the respondent to participate in treatment or counseling services;

~~((5))~~ (e) Order other relief as it deems necessary for the protection of a family or household member, including orders or directives to a peace officer, as allowed under this chapter; and

~~((6))~~ (f) Require the respondent to pay the filing fee and court costs, including service fees, and to reimburse the petitioner for costs incurred in bringing the action, including a reasonable attorney's fee. If the petitioner has been granted leave to proceed in forma pauperis, the court may require the respondent to pay the filing fee and costs, including services fees, to the county or municipality incurring the expense.

(2) Any relief granted by the order for protection, other than a judgment for costs, shall be for a fixed period not to exceed one year.

(3) In providing relief under this chapter, the court may realign the designation of the parties as 'petitioner' and 'respondent' where the court finds that the original petitioner is the abuser and the original respondent is the victim of domestic violence.

Sec. 6. Section 10, chapter 263, Laws of 1984 and RCW 26.50.090 are each amended to read as follows:

(1) An order issued under this chapter shall be personally served upon the respondent, except as provided in subsection (6) of this section.

(2) The sheriff of the county or the peace officers of the municipality in which the respondent resides shall serve the respondent personally unless the petitioner elects to have the respondent served by a private party.

(3) If service by a sheriff or municipal peace officer is to be used, the clerk of the court shall have a copy of any order issued under this chapter forwarded on or before the next judicial day to the appropriate law enforcement agency specified in the order for service upon the respondent. Service of an order issued under this chapter shall take precedence over the service of other documents unless they are of a similar emergency nature.

(4) If the sheriff or municipal peace officer cannot complete service upon the respondent within ten days, the sheriff or municipal peace officer shall notify the petitioner. The petitioner shall provide information sufficient to permit notification.

(5) Returns of service under this chapter shall be made in accordance with the applicable court rules.

(6) If an order entered by the court recites that the respondent appeared in person before the court, the necessity for further service is waived and proof of service of that order is not necessary.

(7) Except in cases where the petitioner is granted leave to proceed in forma pauperis, municipal police departments serving documents as required under this chapter may collect the same fees for service and mileage authorized by RCW 36.18.040 to be collected by sheriffs.

Sec. 7. Section 15, chapter 263, Laws of 1984 and RCW 26.50.200 are each amended to read as follows:

Nothing in this ~~((act))~~ chapter may affect the title to real estate: PROVIDED, That a judgment for costs or fees awarded under this chapter shall constitute a lien on real estate to the extent provided in chapter 4.56 RCW.

Sec. 8. Section 9A.36.040, chapter 260, Laws of 1975 1st ex. sess. as amended by section 18, chapter 263, Laws of 1984 and RCW 9A.36.040 are each amended to read as follows:

(1) Every person who shall commit an assault or an assault and battery not amounting to assault in either the first, second, or third degree shall be guilty of simple assault.

(2) Simple assault is a gross misdemeanor.

~~((3) Every person convicted of three offenses under this section against a family or household member as defined in RCW 10.99.020 is guilty of a class C felony.))~~

Sec. 9. Section 1, chapter 198, Laws of 1969 ex. sess. as last amended by section 19, chapter 263, Laws of 1984 and RCW 10.31.100 are each amended to read as follows:

A police officer having probable cause to believe that a person has committed or is committing a felony shall have the authority to arrest the person without a warrant. A police officer may arrest a person without a warrant for committing a misdemeanor or gross misdemeanor only when the offense is committed in the presence of the officer, except as provided in subsections (1) through (4) of this section.

(1) Any police officer having probable cause to believe that a person has committed or is committing a misdemeanor or gross misdemeanor, involving physical harm or threats of harm to any person or property or the unlawful taking of property or involving the use or possession of cannabis shall have the authority to arrest the person.

(2) A police officer shall arrest and take into custody, pending release on bail, personal recognizance, or court order, a person without a warrant when the officer has probable cause to believe that:

(a) An order has been issued of which the person has knowledge under RCW 10.99.040(2), 10.99.050, 26.09.060, chapter 26.26 RCW, or chapter 26.50 RCW restraining the person and the person has violated the terms of the order restraining the person from acts or threats of violence or excluding the person from a residence; or

(b) The person is eighteen years or older and within the preceding four hours has assaulted that person's spouse, former spouse, or ((other)) a person eighteen years or older with whom the person resides or has formerly resided. An officer shall make an arrest if the officer believes: (i) A felonious assault has occurred; (ii) an assault has occurred which has resulted in bodily injury to the victim, whether the injury is observable by the responding officer or not; or (iii) that any physical action has occurred which was intended to cause another person reasonably to fear imminent serious bodily injury or death. Bodily injury means physical pain, illness, or an impairment of physical condition. When the officer has probable cause to believe that spouses, former spouses, or other persons who reside together or formerly resided together have assaulted each other, the officer is not required to arrest both persons. The officer shall arrest the person whom the officer believes to be the primary physical aggressor. In making this determination, the officer shall make every reasonable effort to consider: (i) The intent to protect victims of domestic violence under RCW 10.99.010; (ii) the comparative extent of injuries inflicted or serious threats creating fear of physical injury; and (iii) the history of domestic violence between the persons involved.

(3) Any police officer having probable cause to believe that a person has committed or is committing a violation of any of the following traffic laws shall have the authority to arrest the person:

(a) RCW 46.52.010, relating to duty on striking an unattended car or other property;

(b) RCW 46.52.020, relating to duty in case of injury to or death of a person or damage to an attended vehicle;

(c) RCW 46.61.500 or 46.61.530, relating to reckless driving or racing of vehicles;

(d) RCW 46.61.502 or 46.61.504, relating to persons under the influence of intoxicating liquor or drugs;

(e) RCW 46.20.342, relating to driving a motor vehicle while operator's license is suspended or revoked;

(f) RCW 46.61.525, relating to operating a motor vehicle in a negligent manner.

(4) A law enforcement officer investigating at the scene of a motor vehicle accident may arrest the driver of a motor vehicle involved in the accident if the officer has probable cause to believe that the driver has committed in connection with the accident a violation of any traffic law or regulation.

(5) Except as specifically provided in subsections (2), (3), and (4) of this section, nothing in this section extends or otherwise affects the powers of arrest prescribed in Title 46 RCW.

(6) No police officer may be held criminally or civilly liable for making an arrest pursuant to RCW 10.31.100(2) if the police officer acts in good faith and without malice.



Sec. 10, Section 4, chapter 105, Laws of 1979 ex. sess. as last amended by section 22, chapter 263, Laws of 1984 and RCW 10.99.040 are each amended to read as follows:

(1) Because of the serious nature of domestic violence, the court in domestic violence actions:

(a) Shall not dismiss any charge or delay disposition because of concurrent dissolution or other civil proceedings;

(b) Shall not require proof that either party is seeking a dissolution of marriage prior to instigation of criminal proceedings;

(c) Shall waive any requirement that the victim's location be disclosed to any person, other than the attorney of a criminal defendant, upon a showing that there is a possibility of further violence; PROVIDED, That the court may order a criminal defense attorney not to disclose to his client the victim's location; and

(d) Shall identify by any reasonable means on docket sheets those criminal actions arising from acts of domestic violence.

(2) Because of the likelihood of repeated violence directed at those who have been victims of domestic violence in the past, when any ((defendant)) person charged with or arrested for a crime involving domestic violence is released from custody before arraignment or trial on bail or personal recognizance, the court authorizing the release may prohibit ((the defendant)) that person from having any contact with the victim. The ((arresting)) jurisdiction authorizing the release shall determine whether ((the defendant)) that person should be prohibited from having any contact with the victim. If there is no outstanding restraining or protective order prohibiting ((the defendant)) that person from having contact with the victim, the court authorizing release may issue, by telephone, a no-contact order prohibiting the ((defendant)) person charged or arrested from having contact with the victim. The no-contact order shall also be issued in writing as soon as possible. If the court has probable cause to believe that the ((defendant)) person charged or arrested is likely to use or display or threaten to use a deadly weapon as defined in RCW 9A.04.110 in any further acts of violence, the court may also require ((the defendant)) that person to surrender any deadly weapon in ((the defendant's)) that person's immediate possession or control, or subject to ((the defendant's)) that person's immediate possession or control, to the sheriff of the county or chief of police of the municipality in which ((the defendant)) that person resides or to the defendant's counsel for safekeeping.

(3) At the time of arraignment the court shall determine whether a no-contact order shall be issued or extended.

(4) Willful violation of a court order issued under subsection (2) or (3) of this section is a misdemeanor. The written order releasing the ((defendant)) person charged or arrested shall contain the court's directives and shall bear the legend: Violation of this order is a criminal offense under chapter 10.99 RCW and will subject a violator to arrest. A certified copy of the order shall be provided to the victim. If a no-contact order has been issued prior to charging, that order shall expire at arraignment or within fifteen days if charges are not filed. Such orders need not be entered into the computer information system in this state which is used by law enforcement agencies to list outstanding warrants.

((4)) (5) Whenever an order prohibiting contact is issued, modified, or terminated under subsection (2) or (3) of this section, the clerk of the court shall forward a copy of the order on or before the next judicial day to the appropriate law enforcement agency specified in the order. Upon receipt of the copy of the order the law enforcement agency shall forthwith enter the order for one year or until the expiration date specified on the order into any ((computer-based criminal intelligence)) computer information system available in this state used by law enforcement agencies to list outstanding warrants. Entry into the law enforcement information system constitutes notice to all law enforcement agencies of the existence of the order. The order is fully enforceable in any jurisdiction in the state.

Sec. 11, Section 46.64.015, chapter 12, Laws of 1961 as last amended by section 2, chapter 28, Laws of 1979 ex. sess. and RCW 46.64.015 are each amended to read as follows:

Whenever any person is arrested for any violation of the traffic laws or regulations which is punishable as a misdemeanor or by imposition of a fine, the arresting officer may serve upon him a traffic citation and notice to appear in court. Such citation and notice shall conform to the requirements of RCW 46.64.010, and in addition, shall include spaces for the name and address of the person arrested, the license number of the vehicle involved, the driver's license number of such person, if any, the offense or violation charged, the time and place where such person shall appear in court, and a place where the person arrested may sign. Such spaces shall be filled with the appropriate information by the arresting officer. The arrested person, in order to secure release, and when permitted by the arresting officer, must give his written promise to appear in court as required by the citation and notice by signing in the appropriate place the written citation and notice served by the arresting officer. An officer may not serve or issue any traffic citation or notice for any offense or violation except either when the offense or violation is committed in his presence or when a person may be arrested pursuant to RCW 10.31.100, as now or hereafter amended. The detention arising from an arrest under this section may not be for a period of time longer than is reasonably necessary to issue and serve a citation and notice, except that the time limitation does not apply under any of the following circumstances:

(1) Where the arrested person refuses to sign a written promise to appear in court as required by the citation and notice provisions of this section;

(2) Where the arresting officer has probable cause to believe that the arrested person has committed any of the offenses enumerated in RCW 10.31.100((2))(3), as now or hereafter amended.

Sec. 12. Section 5, chapter 105, Laws of 1979 ex. sess. as amended by section 24, chapter 263, Laws of 1984 and RCW 10.99.050 are each amended to read as follows:

(1) When a defendant is found guilty of a crime and a condition of the sentence restricts the defendant's ability to have contact with the victim, such condition shall be recorded and a written certified copy of that order shall be provided to the victim.

(2) Willful violation of a court order issued under this section is a misdemeanor. The written order shall contain the court's directives and shall bear the legend: Violation of this order is a criminal offense under chapter 10.99 RCW and will subject a violator to arrest.

(3) Whenever an order prohibiting contact is issued pursuant to this section, the clerk of the court shall forward a copy of the order on or before the next judicial day to the appropriate law enforcement agency specified in the order. Upon receipt of the copy of the order the law enforcement agency shall forthwith enter the order for one year into any computer-based criminal intelligence information system available in this state used by law enforcement agencies to list outstanding warrants. Entry into the law enforcement information system constitutes notice to all law enforcement agencies of the existence of the order. The order is fully enforceable in any jurisdiction in the state.

Sec. 13. Section 37, chapter 299, Laws of 1961 and RCW 3.46.030 are each amended to read as follows:

A municipal department shall have exclusive jurisdiction of matters arising from ordinances of the city, and no jurisdiction of other matters as conferred by statute.

Sec. 14. Section 51, chapter 299, Laws of 1961 as last amended by section 104, chapter 258, Laws of 1984 and RCW 3.50.020 are each amended to read as follows:

The municipal court shall have exclusive original jurisdiction over traffic infractions arising under city ordinances and exclusive original criminal jurisdiction of all violations of city ordinances duly adopted by the city in which the municipal court is located and shall have original jurisdiction of all other actions brought to enforce or recover license penalties or forfeitures declared or given by such ordinances or by state statutes. The municipal court shall also have the jurisdiction as conferred by statute. The municipal court is empowered to forfeit cash bail or bail bonds and issue execution thereon; and in general to hear and determine all causes, civil or criminal, including traffic infractions, arising under such ordinances and to pronounce judgment in accordance therewith."

On page 1, line 1 of the title, after "violence;" strike the remainder of the title and insert "and amending RCW 3.46.030, 3.50.020, 26.50.020, 26.50.030, 26.50.040, 26.50.060, 26.50.090, 26.50.200, 9A.36.040, 10.31.100, 10.99.040, 10.99.050, and 46.64.015."

Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Crane, Dellwo, Hargrove, P. King, Lewis, G. Nelson, Niemi, Padden, Schmidt, Schoon, Tilly, West and Wang.

Absent: Representatives Appelwick, Locke, Niemi and Van Luven.

Passed to Committee on Rules for second reading.

March 27, 1985

**SB 3287** Prime Sponsor, Senator McDermott: Broadening the state's duty to pay prorated election costs. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 8 after "offices," insert "state legislative offices."

On page 1, line 14 after "expenses" insert ", based upon the offices and measures listed in subsection (1) of this section."

Signed by Representatives Fisher, Chair; Leonard, Vice Chair; Barnes, Barrett, Day, Madsen, Nealey and Sommers.

Absent: Representatives Fisch, Madsen, Miller and Walker.

Referred to Committee on Ways & Means.

March 27, 1985

**SB 3401** Prime Sponsor, Senator Peterson: Revising commercial motor vehicle licensing reciprocity. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendment:

On page 7, line 18 after "rate of" strike "four" and insert "~~(four)~~ eight"

Signed by Representatives Walk, Chair; Wineberry, Vice Chair; Betzoff, Bond, Brough, Fisch, Fisher, Gallagher, Haugen, Kremen, Lundquist, McMullen, Patrick, Prince, C. Smith, Tanner, Thomas, Valle, Van Luven, K. Wilson and Zellinsky.

Absent: Representatives Baugher, Hankins, Haugen, Sutherland, Tanner and J. Williams.

Passed to Committee on Rules for second reading.

March 26, 1985

SB 3406 Prime Sponsor, Senator Warnke: Eliminating certain requirements for shared work compensation programs. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Betzoff, Chandler, Ebersole, Fisch, Fisher, Patrick, Sayan, C. Smith, Walker and J. Williams.

Absent: Representatives R. King and O'Brien.

Passed to Committee on Rules for second reading.

March 26, 1985

SSB 3407 Prime Sponsor, Committee on Commerce & Labor: Changing provisions relating to approved training for purposes of unemployment compensation. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Betzoff, Chandler, Ebersole, Fisch, Fisher, Patrick, Sayan, C. Smith, Walker and J. Williams.

Absent: Representatives R. King and O'Brien.

Passed to Committee on Rules for second reading.

March 26, 1985

SB 3408 Prime Sponsor, Senator Warnke: Limiting the definition of employer for unemployment insurance purposes. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Betzoff, Chandler, Ebersole, Fisch, Fisher, Patrick, Sayan, C. Smith, Walker and J. Williams.

Absent: Representatives R. King and O'Brien.

Passed to Committee on Rules for second reading.

March 26, 1985

SB 3409 Prime Sponsor, Senator Warnke: Specifying types of benefit payments not charged to employers' unemployment insurance experience rating accounts. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Betzoff, Chandler, Fisch, Fisher, Patrick, C. Smith, Walker and J. Williams.

Absent: Representatives R. King and O'Brien.

Passed to Committee on Rules for second reading.

March 26, 1985

SB 3456 Prime Sponsor, Senator Hansen: Extending certain tax exemptions relating to alcohol used in motor vehicle fuels. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

\*Sec. 1. Section 6, chapter 131, Laws of 1980 (uncodified) is amended to read as follows:

((Sections 1 through 4 of this 1980 act)) RCW 82.08.0286 and 82.12.0281 shall expire December 31, ((1986)) 1992.

Sec. 2. Section 13, chapter 196, Laws of 1979 ex. sess. as amended by section 3, chapter 157, Laws of 1980 and RCW 82.04.325 are each amended to read as follows:

The tax imposed by RCW 82.04.270(1) does not apply to any person who manufactures alcohol with respect to sales of said alcohol to be used in the production of gasohol for use as motor vehicle fuel, nor with respect to sales of gasohol for use as motor vehicle fuel. As used in this section, 'motor vehicle fuel' has the meaning given in RCW 82.36.010(2), and 'gasohol' means motor vehicle fuel which contains more than nine and one-half percent alcohol by volume. This RCW section shall expire December 31, ~~((1986))~~ 1992.

Sec. 3. Section 2, chapter 157, Laws of 1980 and RCW 82.29A.135 are each amended to read as follows:

(1) For the purposes of this section, 'alcohol fuel' means any alcohol made from a product other than petroleum or natural gas, which is used alone or in combination with gasoline or other petroleum products for use as a fuel for motor vehicles, farm implements and machines or implements of husbandry.

(2) All leasehold interests in buildings, machinery, equipment, and other personal property which is used primarily for the manufacturing of alcohol fuel, the land upon which such property is located, and land that is reasonably necessary in the manufacturing of alcohol fuel, but not land necessary for growing of crops, which together comprise a new alcohol manufacturing facility or an addition to an existing alcohol manufacturing facility, are exempt from leasehold taxes for a period of six years from the date on which the facility or the addition to the existing facility becomes operational.

For alcohol manufacturing facilities which produce alcohol for use as alcohol fuel and alcohol used for other purposes, the amount of the leasehold tax exemption shall be based upon an annually determined percentage of the total gallons of alcohol produced that is sold and used as alcohol fuel.

(3) Claims for exemptions authorized by this section shall be filed with the department of revenue on forms prescribed by the department of revenue and furnished by the department of revenue. Once filed, the exemption is valid for six years and shall not be renewed. The department of revenue shall verify and approve such claims as the department of revenue determines to be justified and in accordance with this section. No claims may be filed after December 31, ~~((1986))~~ 1992.

The department of revenue may promulgate such rules, pursuant to chapter 34.04 RCW, as are necessary to properly administer this section.

Sec. 4. Section 3, chapter 131, Laws of 1980 as amended by section 4, chapter 342, Laws of 1981 and RCW 82.36.225 are each amended to read as follows:

Alcohol of any proof that is sold in this state for use as fuel in motor vehicles, farm implements and machines, or implements of husbandry is exempt from the motor vehicle fuel tax under this chapter. In addition, a tax credit of sixty percent of the tax rate imposed by RCW 82.36.025 shall be given for every gallon of alcohol used in an alcohol-gasoline blend which contains at least nine and one-half percent or more by volume of alcohol: PROVIDED, That in no case may the tax credit claimed be greater than the tax due on the gasoline portion of the blended fuel.

This section shall expire on December 31, ~~((1986))~~ 1992.

Sec. 5. Section 82.36.280, chapter 15, Laws of 1961 as last amended by section 5, chapter 131, Laws of 1980 and RCW 82.36.280 are each amended to read as follows:

Any person who uses any motor vehicle fuel for the purpose of operating any internal combustion engine not used on or in conjunction with any motor vehicle licensed to be operated over and along any of the public highways, and as the motive power thereof, upon which motor vehicle fuel excise tax has been paid, shall be entitled to and shall receive a refund of the amount of the motor vehicle fuel excise tax paid on each gallon of motor vehicle fuel so used, whether such motor vehicle excise tax has been paid either directly to the vendor from whom the motor vehicle fuel was purchased or indirectly by adding the amount of such excise tax to the price of such fuel. No refund shall be made for motor vehicle fuel consumed by any motor vehicle as herein defined that is required to be registered and licensed as provided in chapter 46.16 RCW; and is operated over and along any public highway except that a refund shall be allowed for motor vehicle fuel consumed:

(1) In a motor vehicle owned by the United States that is operated off the public highways for official use;

(2) By auxiliary equipment not used for motive power, provided such consumption is accurately measured by a metering device that has been specifically approved by the department or is established by either of the following formulae:

(a) For fuel used in pumping fuel or heating oils by a power take-off unit on a delivery truck, refund shall be allowed claimant for tax paid on fuel purchased at the rate of three-fourths of one gallon for each one thousand gallons of fuel delivered: PROVIDED, That claimant when presenting his claim to the department in accordance with the provisions of this chapter, shall provide to said claim, invoices of fuel oil delivered, or such other appropriate information as may be required by the department to substantiate his claim; or

(b) For fuel used in operating a power take-off unit on a cement mixer truck or load compactor on a garbage truck, claimant shall be allowed a refund of twenty-five percent of the tax paid on all fuel used in such a truck; and

(3) Before December 31, ((1986)) 1992, in a commercial vehicle as defined in RCW 46.04.140 or a farm vehicle as defined in RCW 46.04.181, if the motor vehicle fuel consumed contains nine and one-half percent or more by volume of alcohol and the commercial vehicle or farm vehicle is operated off the public highways of this state.

Sec. 6, Section 4, chapter 131, Laws of 1980 as amended by section 7, chapter 342, Laws of 1981 and RCW 82.38.085 are each amended to read as follows:

Alcohol of any proof that is sold in this state for use as fuel in motor vehicles is exempt from the special fuel tax under this chapter. In addition, a tax credit of sixty percent of the tax rate imposed by RCW 82.38.030 shall be given for every gallon of alcohol used in an alcohol-special fuel blend which contains at least nine and one-half percent or more by volume of alcohol: PROVIDED, That in no case may the tax credit claimed be greater than the tax due on the special fuel portion of the blended fuel.

This section shall expire on December 31, ((1986)) 1992.

Sec. 7, Section 1, chapter 157, Laws of 1980 and RCW 84.36.490 are each amended to read as follows:

(1) For the purposes of this section, 'alcohol fuel' means any alcohol made from a product other than petroleum or natural gas, which is used alone or in combination with gasoline or other petroleum products for use as a fuel for motor vehicles, farm implements and machines or implements of husbandry.

(2) All buildings, machinery, equipment, and other personal property which is used primarily for the manufacturing of alcohol fuel, the land upon which such property is located, and land that is reasonably necessary in the manufacturing of alcohol fuel, but not land necessary for growing of crops, which together comprise a new alcohol manufacturing facility or an addition to an existing alcohol manufacturing facility, are exempt from property taxation for the six assessment years following the date on which the facility or the addition to the existing facility becomes operational.

For alcohol manufacturing facilities which produce alcohol for use as alcohol fuel and alcohol used for other purposes, the amount of the property tax exemption shall be based upon an annually determined percentage of the total gallons of alcohol produced that is sold or used as alcohol fuel.

(3) Claims for exemptions authorized by this section shall be filed with the county assessor on forms prescribed by the department of revenue and furnished by the assessor. Once filed, the exemption is valid for six years and shall not be renewed. The assessor shall verify and approve such claims as the assessor determines to be justified and in accordance with this section. No claims may be filed after December 31, ((1986)) 1992.

The department of revenue may promulgate such rules, pursuant to chapter 34.04 RCW, as are necessary to properly administer this section."

On page 1, line 2 of the title, after "82.29A.135," insert "82.36.225, 82.36.280, 82.38.085."

Signed by Representatives Walk, Chair; Wineberry, Vice Chair; Baugher, Brough, Gallagher, Haugen, Kremen, Kremen, Patrick, Sutherland, Tanner, Valle, J. Williams, K. Wilson and Zellinsky.

Absent: Representatives Betzoff, Bond, Fisch, Fisher, Hankins, Lundquist, McMullen, Prince, Schmidt, C. Smith, Thomas and Van Luven.

Referred to Committee on Ways & Means.

March 28, 1985

SSB 3594 Prime Sponsor, Committee on Agriculture: Changing provisions relating to irrigation district voting. Reported by Committee on Agriculture

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Baugher, Vice Chair; Ballard, Bristow, Brooks, Chandler, Doty, Kremen, Madsen, Nealey and Peery.

Passed to Committee on Rules for second reading.

March 26, 1985

SSB 3684 Prime Sponsor, Committee on Ways & Means: Modifying provisions on the state lottery. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1, Section 4, chapter 7, Laws of 1982 2nd ex. sess. and RCW 67.70.040 are each amended to read as follows:

The commission shall have the power, and it shall be its duty:

(1) To promulgate such rules governing the establishment and operation of a state lottery as it deems necessary and desirable in order that such a lottery be initiated at the earliest feasible and practicable time, and in order that such lottery produce the maximum amount of net

revenues for the state consonant with the dignity of the state and the general welfare of the people. Such rules shall include, but shall not be limited to, the following:

(a) The type of lottery to be conducted which may include the selling of tickets or shares, or the use of electronic or mechanical devices or video terminals which do not require a printed ticket;

(b) The price, or prices, of tickets or shares in the lottery;

(c) The numbers and sizes of the prizes on the winning tickets or shares;

(d) The manner of selecting the winning tickets or shares;

(e) The manner and time of payment of prizes to the holder of winning tickets or shares which, at the director's option, may be paid in lump sum amounts or installments over a period of years;

(f) The frequency of the drawings or selections of winning tickets or shares, without limitation;

(g) Without limit as to number, the type or types of locations at which tickets or shares may be sold;

(h) The method to be used in selling tickets or shares, which may include the use of electronic or mechanical devices and video terminals;

(i) The licensing of agents to sell or distribute tickets or shares, except that a person under the age of eighteen shall not be licensed as an agent;

(j) The manner and amount of compensation, if any, to be paid licensed sales agents necessary to provide for the adequate availability of tickets or shares to prospective buyers and for the convenience of the public;

(k) The apportionment of the total revenues accruing from the sale of lottery tickets or shares and from all other sources among: (i) The payment of prizes to the holders of winning tickets or shares, which shall not be less than forty-five percent of the gross annual revenue from such lottery, (ii) ~~(the payment of costs incurred in the operation and administration of the lottery, including the expenses of the lottery and the costs resulting from any contract or contracts entered into for promotional, advertising, or operational services or for the purchase or lease of lottery equipment and materials, but the payment of such costs shall not exceed fifteen percent of the gross annual revenue from such lottery, (iii) for the repayment of any moneys appropriated to the state lottery fund pursuant to sections 36 and 37, chapter 7, Laws of 1982 2nd ex. sess., and (iv) for) transfers to the lottery administrative account created by RCW 67.70.260, and (iii) transfer to the state's general fund~~~~(--PROVIDED, That no less than forty percent of the gross annual revenue from the sale of lottery tickets or shares shall be transferred to the state general fund)),~~ Transfers to the state general fund shall be made in compliance with RCW 43.01.050;

(1) Such other matters necessary or desirable for the efficient and economical operation and administration of the lottery and for the convenience of the purchasers of tickets or shares and the holders of winning tickets or shares.

(2) To ensure that in each place authorized to sell lottery tickets or shares, on the back of the ticket or share, and in any advertising or promotion there shall be conspicuously displayed an estimate of the probability of purchasing a winning ticket.

(3) To amend, repeal, or supplement any such rules from time to time as it deems necessary or desirable.

(4) To advise and make recommendations to the director for the operation and administration of the lottery.

Sec. 2. Section 5, chapter 7, Laws of 1982 2nd ex. sess. and RCW 67.70.050 are each amended to read as follows:

There is created the office of director of the state lottery. The director shall be appointed by the governor with the consent of the senate. The director shall serve at the pleasure of the governor and shall receive such salary as is determined by the governor, but in no case may the director's salary be more than ninety percent of the salary of the governor. The director shall:

(1) Supervise and administer the operation of the lottery in accordance with the provisions of this chapter and with the rules of the commission.

(2) Appoint such deputy and assistant directors as may be required to carry out the functions and duties of his office: PROVIDED, That the provisions of the state civil service law, chapter 41.06 RCW, shall not apply to such deputy and assistant directors.

(3) Appoint such professional, technical, and clerical assistants and employees as may be necessary to perform the duties imposed by this chapter: PROVIDED, That the provisions of the state civil service law, chapter 41.06 RCW, shall not apply to such employees as are engaged in undercover audit or investigative work or security operations but shall apply to other employees appointed by the director, except as provided for in subsection (2) of this section.

(4) In accordance with the provisions of this chapter and the rules of the commission, license as agents to sell or distribute lottery tickets such persons as in his opinion will best serve the public convenience and promote the sale of tickets or shares. The director may require a bond from every licensed agent, in such amount as provided in the rules of the commission. Every licensed agent shall prominently display his license, or a copy thereof, as provided in

the rules of the commission. License fees may be established by the commission, and, if established, shall be deposited in the (~~revolving fund~~) state lottery account created by RCW (~~67.70.266~~) 67.70.230.

(5) Confer regularly as necessary or desirable with the commission on the operation and administration of the lottery; make available for inspection by the commission, upon request, all books, records, files, and other information and documents of the lottery; and advise the commission and recommend such matters as he deems necessary and advisable to improve the operation and administration of the lottery.

(6) Subject to the applicable laws relating to public contracts, enter into contracts for the operation of the lottery, or any part thereof, and into contracts for the promotion of the lottery. Contracts exceeding two thousand five hundred dollars shall be competitively bid. For purposes of this subsection, "competitively bid" means a formal, documented competitive solicitation process which provides an equal and open opportunity to all qualified and interested parties and in which, in addition to cost, the selection may be based on criteria including but not limited to ability, capacity, experience, reputation, response to time limits, and compliance with laws relating to contracts or services. No contract awarded or entered into by the director may be assigned by the holder thereof except by specific approval of the commission: PROVIDED, That nothing in this chapter authorizes the director to enter into public contracts for the regular and permanent administration of the lottery after the initial development and implementation.

(7) Certify quarterly to the state treasurer, the legislative budget committee, and the commission a full and complete statement of lottery revenues, prize disbursements, and other expenses for the preceding quarter.

(8) Publish quarterly reports showing the total lottery revenues, prize disbursements, and other expenses for the preceding quarter, and make an annual report, which shall include a full and complete statement of lottery revenues, prize disbursements, and other expenses, to the governor and the legislature, and including such recommendations for changes in this chapter as the director deems necessary or desirable.

(9) Report immediately to the governor and the legislature any matters which require immediate changes in the laws of this state in order to prevent abuses and evasions of this chapter or rules promulgated thereunder or to rectify undesirable conditions in connection with the administration or operation of the lottery.

(10) Carry on a continuous study and investigation of the lottery throughout the state: (a) For the purpose of ascertaining any defects in this chapter or in the rules issued thereunder by reason whereof any abuses in the administration and operation of the lottery or any evasion of this chapter or the rules may arise or be practiced, (b) for the purpose of formulating recommendations for changes in this chapter and the rules promulgated thereunder to prevent such abuses and evasions, (c) to guard against the use of this chapter and the rules issued thereunder as a cloak for the carrying on of professional gambling and crime, and (d) to insure that this chapter and rules shall be in such form and be so administered as to serve the true purposes of this chapter.

(11) Make a continuous study and investigation of: (a) The operation and the administration of similar laws which may be in effect in other states or countries, (b) any literature on the subject which from time to time may be published or available, (c) any federal laws which may affect the operation of the lottery, and (d) the reaction of the citizens of this state to existing and potential features of the lottery with a view to recommending or effecting changes that will tend to serve the purposes of this chapter.

(12) Have all enforcement powers granted in chapter 9.46 RCW.

(13) Perform all other matters and things necessary to carry out the purposes and provisions of this chapter.

NEW SECTION, Sec. 3. A new section is added to chapter 67.70 RCW to read as follows:

No lottery employee, director, or commissioner shall, within a period of two years after termination of employment with the commission, accept employment or engage in any business or professional activity which state employees are prohibited from accepting or engaging in under chapter 42.18 RCW.

Sec. 4. Section 23, chapter 7, Laws of 1982 2nd ex. sess. and RCW 67.70.230 are each amended to read as follows:

There is hereby created and established a separate (~~fund~~) account, to be known as the state lottery (~~fund~~) account. Such (~~fund~~) account shall be managed, maintained, and controlled by the commission and shall consist of all revenues received from the sale of lottery tickets or shares, and all other moneys credited or transferred thereto from any other fund or source pursuant to law. The (~~fund~~) account shall be a separate (~~fund~~) account outside the state treasury. No appropriation is required to permit expenditures and payment of obligations from the (~~fund~~) account.

Sec. 5. Section 24, chapter 7, Laws of 1982 2nd ex. sess. and RCW 67.70.240 are each amended to read as follows:

The moneys in the state lottery (~~fund~~) account shall be used only: (1) For the payment of prizes to the holders of winning lottery tickets or shares; (2) for purposes of making deposits into

the reserve account created by RCW 67.70.250 and into the ~~((revolving fund))~~ lottery administrative account created by RCW 67.70.260; (3) for purposes of making deposits into the state's general fund; ~~((and))~~ (4) for the ~~((repayment of the amounts appropriated to the fund pursuant to sections 36 and 37, chapter 7, Laws of 1982 2nd ex. sess))~~ purchase and promotion of lottery games and game-related services; and (5) for the payment of agent compensation.

The office of financial management shall require the allotment of all expenses paid from the account and shall report to the ways and means committees of the senate and house of representatives any changes in the allotments.

Sec. 6. Section 26, chapter 7, Laws of 1982 2nd ex. sess. and RCW 67.70.260 are each amended to read as follows:

There is hereby created ~~((a revolving fund into which shall be deposited sufficient money to provide for the payment of the costs incurred in the operation and administration of the lottery. The amount expended annually from the revolving fund shall never exceed fifteen percent of the gross annual revenue accruing from the sale of lottery tickets or shares. Such revolving fund))~~ the lottery administrative account in the state treasury. The account shall be managed, controlled, and maintained by the director ((and shall be a separate and independent fund outside the state treasury. No appropriation is required to permit expenditures and payment of obligations from the fund)). The legislature may appropriate from the account for the payment of costs incurred in the operation and administration of the lottery.

NEW SECTION, Sec. 7. On the effective date of this section, all moneys in the state lottery fund shall be transferred to the state lottery account and all moneys in the revolving fund created under RCW 67.70.260 shall be transferred to the lottery administrative account.

NEW SECTION, Sec. 8. There is hereby appropriated one million two hundred sixty-three thousand dollars from the lottery administrative account to the Washington state lottery for the biennium ending June 30, 1985, for the purposes contained in RCW 67.70.260.

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.

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 May 1, 1985."

Signed by Representatives Wang, Chair; Cole, Vice Chair; Berozoff, Chandler, Ebersole, Fisch, Fisher, Patrick, Sayan, C. Smith, Walker and J. Williams.

Absent: Representatives R. King and O'Brien.

Referred to Committee on Ways & Means.

March 27, 1985

SSB 3776 Prime Sponsor, Committee on Governmental Operations: Authorizing the continued existence of the state arts commission and restructuring the commission. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 15 after "follows:" strike the remainder of the section and insert:

"Members of the commission shall serve without compensation. However, nonlegislative members shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060 and legislative members shall be reimbursed as provided in RCW 44.04.120. The commission shall organize, elect a ((chairman)) \*chairperson annually, and adopt ((its own)) rules ((and regulations)) pursuant to chapter 34.04 RCW. A majority of its members ((shall)) constitute a quorum. Any action as defined in RCW 42.30.020(3) shall be taken only at a meeting at which a quorum is present."

On page 3, after line 3 insert the following:

"Sec. 7. Section 1, chapter 125, Laws of 1967 ex. sess. and RCW 43.46.055 are each amended to read as follows:

The commission may develop, sponsor, promote and administer any activity, project, or program within or without this state which is related to the growth and development of the arts and humanities in the state of Washington and may ~~((cooperate with))~~ assist any person or public or private agency to this end."

Re-number remaining sections consecutively.

On page 1, line 2 of the title after "43.46.050," insert "43.46.055,"

Signed by Representatives Belcher, Chair; Peery, Vice Chair; Baugher, Brooks, O'Brien, Todd, Vekich and Walk.

MINORITY recommendation: Do not pass. Signed by Representatives Fuhrman and van Dyke.

Absent: Representatives Hankins and Taylor.



Passed to Committee on Rules for second reading.

March 28, 1985

SSB 3989 Prime Sponsor, Committee on Financial Institutions: Revising provisions relating to insurance coverage for mastectomies. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Addison, Barrett, Crane, Dellwo, Holland, Locke, Nutley, Prince, West and Winsley.

Absent: Representatives Grimm, P. King and Winsley.

Passed to Committee on Rules for second reading.

March 28, 1985

ESB 4185 Prime Sponsor, Senator Rinehart: Clarifying the definition of higher education tuition and fees. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

\*Sec. 1. Section 2, chapter 17, Laws of 1972 ex. sess. as amended by section 2, chapter 63, Laws of 1973 and RCW 28B.10.265 are each amended to read as follows:

Children of any person who was a Washington domiciliary and who within the past eleven years has been determined by the federal government to be a prisoner of war or missing in action in Southeast Asia, including Korea, or who shall become so hereafter, shall be admitted to and attend any public institution of higher education within the state without the necessity of paying any tuition (~~(-operating fees.)~~) and service and activities' fees for any and all courses offered at any time including summer term whether attending on a part time or full time basis: PROVIDED, That such child shall meet such other educational qualifications as such institution of higher education shall deem reasonable and necessary under the circumstances. Affected institutions shall in their preparation of future budgets include therein costs resultant from such tuition loss for reimbursement thereof from appropriations of state funds. Applicants for free tuition shall provide institutional administrative personnel with documentation of their rights under this section.

Sec. 2. Section 1, chapter 354, Laws of 1977 ex. sess. and RCW 28B.14C.010 are each amended to read as follows:

The state finance committee is hereby authorized to issue from time to time on behalf of the state, general obligation bonds of the state in the amount of sixty million dollars, or so much thereof as may be required to refund at or prior to maturity, all or some or any part of the various issues of outstanding limited obligation revenue bonds identified below, issued by various of the institutions of higher education, similarly identified:

(1) University of Washington (~~(general tuition fee)~~) building revenue bonds, all series, aggregating \$28,850,000 in original principal amount;

(2) Washington State University (~~(general tuition fee)~~) building revenue bonds and (~~(general tuition fee)~~) building and scientific fund revenue bonds, all series, aggregating \$19,450,000 in original principal amount;

(3) Western Washington State College (~~(general tuition fee)~~) building and normal school fund revenue bonds, all series, aggregating \$11,620,000 in original principal amount;

(4) Eastern Washington State College (~~(general tuition fee)~~) building and normal school fund revenue bonds, all series, aggregating \$9,501,000 in original principal amount;

(5) Central Washington State College (~~(general tuition fee)~~) building and normal school fund revenue bonds, all series, including refunding series, aggregating \$8,925,000 in original principal amount; and

(6) The Evergreen State College (~~(general tuition fee)~~) building revenue bonds, all series, aggregating \$2,191,125 in original principal amount.

Sec. 3. Section 8, chapter 354, Laws of 1977 ex. sess. and RCW 28B.14C.080 are each amended to read as follows:

At such time as ample provision has been made for full payment, when due under the terms thereof or upon redemption prior to maturity, of all the principal of and interest on and redemption premium, if applicable, on all the outstanding University of Washington (~~(general tuition fee)~~) building revenue bonds payable from the University of Washington bond retirement fund, which provision has been made in a refunding plan adopted by the state finance committee pursuant to the terms of this chapter utilizing a part of the proceeds and the investment proceeds of the refunding bonds issued pursuant to this chapter, then:

(1) The said University of Washington bonds so refunded shall be deemed not to be 'outstanding' or 'unpaid' for purposes of RCW 28B.20.720, 28B.20.725, 28B.20.800 or any other statute

pertaining to said bonds or any covenant of the University of Washington board of regents pertaining to said bonds:

(2) The board of regents of the University of Washington shall, from moneys thereafter paid into the University of Washington bond retirement fund pursuant to the provisions of chapter 28B.20 RCW, transfer to the state general fund amounts sufficient to pay the principal of and the interest on that portion or series of the refunding bonds necessary to refund the said University of Washington bonds. The state finance committee shall determine all matters pertaining to the said transfer, including the amounts to be transferred and the time and manner of transfer; and

(3) Anything to the contrary contained in chapter 28B.20 RCW notwithstanding, the state treasurer shall immediately transfer to the state general fund all reserves, less any amount required to effect the refunding, which have been accumulated theretofore in the University of Washington bond retirement fund pursuant to covenants in the said University of Washington bonds.

(4) Anything to the contrary contained in RCW 28B.20.725 notwithstanding, the board of regents of the University of Washington is empowered to authorize the transfer from time to time to the University of Washington building account any moneys in the University of Washington bond retirement fund in excess of the amounts determined by the state finance committee to be transferred from such bond retirement fund in accordance with subsection (2) of this section.

Sec. 4. Section 9, chapter 354, Laws of 1977 ex. sess. and RCW 28B.14C.090 are each amended to read as follows:

At such time as ample provision has been made for full payment, when due under the terms thereof or upon redemption prior to maturity, of all the principal of and interest on and redemption premium, if applicable, on all the outstanding Washington State University (~~general tuition fee~~) building revenue bonds and (~~general tuition fee~~) building and scientific fund revenue bonds payable from the Washington State University bond retirement fund, which provision has been made in a refunding plan adopted by the state finance committee pursuant to the terms of this chapter utilizing a part of the proceeds and the investment proceeds of the refunding bonds issued pursuant to this chapter, then:

(1) The said Washington State University bonds so refunded shall be deemed not to be 'outstanding' or 'unpaid' for purposes of RCW 28B.20.720, 28B.30.740, 28B.30.750 or any other statute pertaining to said bonds or any covenant of Washington State University board of regents pertaining to said bonds:

(2) The board of regents of Washington State University shall, from moneys thereafter paid into the Washington State University bond retirement fund pursuant to the provisions of chapter 28B.30 RCW, transfer to the state general fund amounts sufficient to pay the principal of and the interest on that portion or series of the refunding bonds necessary to refund the said Washington State University bonds. The state finance committee shall determine all matters pertaining to the said transfer, including the amounts to be transferred and the time and manner of transfer; and

(3) Anything to the contrary contained in chapter 28B.30 RCW notwithstanding, the state treasurer shall immediately transfer to the state general fund all reserves, less any amount required to effect the refunding, which have been accumulated theretofore in the Washington State University bond retirement fund pursuant to covenants in the said Washington State University bonds.

(4) Anything to the contrary contained in RCW 28B.30.750 notwithstanding, the board of regents of Washington State University is empowered to authorize the transfer from time to time to the Washington State University building account any moneys in the Washington State University bond retirement fund in excess of the amounts determined by the state finance committee to be transferred from such bond retirement fund in accordance with subsection (2) of this section.

Sec. 5. Section 10, chapter 354, Laws of 1977 ex. sess. and RCW 28B.14C.100 are each amended to read as follows:

At such time as ample provision has been made for full payment, when due under the terms thereof or upon redemption prior to maturity, of all the principal of and interest on and redemption premium, if applicable, on all the outstanding Western Washington State College (~~general tuition fee~~) building and normal school fund revenue bonds payable from the Western Washington State College bond retirement fund, which provision has been made in a refunding plan adopted by the state finance committee pursuant to the terms of this chapter utilizing a part of the proceeds and the investment proceeds of the refunding bonds issued pursuant to this chapter, then:

(1) The said Western Washington State College bonds so refunded shall be deemed not to be 'outstanding' or 'unpaid' for purposes of RCW 28B.40.370, 28B.40.750, or other than RCW 28B.40.751, any other statute pertaining to said bonds or any covenant of the board of trustees of Western Washington State College pertaining to said bonds:

(2) Anything to the contrary in chapter 28B.40 RCW notwithstanding, all (~~general tuition~~) building fees and all normal school fund revenues received by Western Washington State College pursuant to RCW 28B.40.751 shall thenceforth be deposited into the Western Washington State College capital projects account and the board of trustees of said college shall thereafter

transfer from said capital projects account to the state general fund, amounts sufficient to pay the principal of and interest on that portion or series of the refunding bonds necessary to refund the said bonds. The state finance committee shall determine all matters pertaining to the said transfer, including the amounts to be transferred and the time and manner of transfer; and

(3) Anything to the contrary contained in chapter 28B.40 RCW notwithstanding, the state treasurer shall immediately transfer to the state general fund all reserves, less any amount required to effect the refunding, which have been accumulated theretofore in the Western Washington State College bond retirement fund pursuant to covenants in the said Western Washington State College bonds.

Sec. 6. Section 11, chapter 354, Laws of 1977 ex. sess. and RCW 28B.14C.110 are each amended to read as follows:

At such time as ample provision has been made for full payment, when due under the terms thereof or upon redemption prior to maturity, of all the principal of and interest on and redemption premium, if applicable, on all the outstanding Eastern Washington State College ~~((general tuition fee))~~ building and normal school fund revenue bonds payable from the Eastern Washington State College bond retirement fund, which provision has been made in a refunding plan adopted by the state finance committee pursuant to the terms of this chapter utilizing a part of the proceeds and the investment proceeds of the refunding bonds issued pursuant to this chapter, then:

(1) The said Eastern Washington State College bonds so refunded shall be deemed not to be 'outstanding' or 'unpaid' for purposes of RCW 28B.40.370, 28B.40.750, or, other than RCW 28B.40.751, any other statute pertaining to said bonds or any covenant of the board of trustees of Eastern Washington State College pertaining to said bonds;

(2) Anything to the contrary in chapter 28B.40 RCW notwithstanding, all ~~((general tuition))~~ building fees and all normal school fund revenues received by Eastern Washington State College pursuant to RCW 28B.40.751 shall thenceforth be deposited into the Eastern Washington State College capital projects account and the board of trustees of said college shall thereafter transfer from said capital projects account to the state general fund, amounts sufficient to pay the principal of and interest on that portion or series of the refunding bonds necessary to refund the said bonds. The state finance committee shall determine all matters pertaining to the said transfer, including the amounts to be transferred and the time and manner of transfer; and

(3) Anything to the contrary contained in chapter 28B.40 RCW notwithstanding, the state treasurer shall immediately transfer to the state general fund all reserves, less any amount required to effect the refunding, which have been accumulated theretofore in the Eastern Washington State College bond retirement fund pursuant to covenants in the said Eastern Washington State College bonds.

Sec. 7. Section 12, chapter 354, Laws of 1977 ex. sess. and RCW 28B.14C.120 are each amended to read as follows:

At such time as ample provision has been made for full payment, when due under the terms thereof or upon redemption prior to maturity, of all the principal of and interest on and redemption premium, if applicable, on all the outstanding Central Washington State College ~~((general tuition fee))~~ building and normal school fund revenue bonds payable from the Central Washington State College bond retirement fund, which provision has been made in a refunding plan adopted by the state finance committee pursuant to the terms of this chapter utilizing a part of the proceeds and the investment proceeds of the refunding bonds issued pursuant to this chapter, then:

(1) The said Central Washington State College bonds so refunded shall be deemed not to be 'outstanding' or 'unpaid' for purposes of RCW 28B.40.370, 28B.40.750, or, other than RCW 28B.40.751, any other statute pertaining to said bonds or any covenant of the board of trustees of Central Washington State College pertaining to said bonds;

(2) Anything to the contrary in chapter 28B.40 RCW notwithstanding, all ~~((general tuition))~~ building fees and all normal school fund revenues received by Central Washington State College pursuant to RCW 28B.40.751 shall thenceforth be deposited into the Central Washington State College capital projects account and the board of trustees of said college shall thereafter transfer from said capital projects account to the state general fund, amounts sufficient to pay the principal of and interest on that portion or series of the refunding bonds necessary to refund the said bonds. The state finance committee shall determine all matters pertaining to the said transfer, including the amounts to be transferred and the time and manner of transfer; and

(3) Anything to the contrary contained in chapter 28B.40 RCW notwithstanding, the state treasurer shall immediately transfer to the state general fund all reserves, less any amount required to effect the refunding, which have been accumulated theretofore in the Central Washington State College bond retirement fund pursuant to covenants in the said Central Washington State College bonds.

Sec. 8. Section 13, chapter 354, Laws of 1977 ex. sess. and RCW 28B.14C.130 are each amended to read as follows:

At such time as ample provision has been made for full payment, when due under the terms thereof or upon redemption prior to maturity, of all the principal of and interest on and redemption premium, if applicable, on all the outstanding Evergreen State College ~~((general~~

~~tuition fee~~) building revenue bonds payable from the Evergreen State College bond retirement fund, which provision has been made in a refunding plan adopted by the state finance committee pursuant to the terms of this chapter utilizing a part of the proceeds and the investment proceeds of the refunding bonds issued pursuant to this chapter, then:

(1) The said Evergreen State College bonds so refunded shall be deemed not to be 'outstanding' or 'unpaid' for purposes of RCW 28B.40.370, 28B.40.750, or, other than RCW 28B.40.751, any other statute pertaining to said bonds or any covenant of the board of trustees of The Evergreen State College pertaining to said bonds;

(2) Anything to the contrary in chapter 28B.40 RCW notwithstanding, all ~~((general tuition))~~ building fees and all normal school fund revenues received by The Evergreen State College pursuant to RCW 28B.40.751 shall thenceforth be deposited into the Evergreen State College capital projects account and the board of trustees of said college shall thereafter transfer from said capital projects account to the state general fund, amounts sufficient to pay the principal of and interest on that portion or series of the refunding bonds necessary to refund the said bonds. The state finance committee shall determine all matters pertaining to the said transfer, including the amounts to be transferred and the time and manner of transfer; and

(3) Anything to the contrary contained in chapter 28B.40 RCW notwithstanding, the state treasurer shall immediately transfer to the state general fund all reserves, less any amount required to effect the refunding, which have been accumulated theretofore in the Evergreen State College bond retirement fund pursuant to covenants in the said Evergreen State College bonds.

Sec. 9. Section 10, chapter 253, Laws of 1979 ex. sess. and RCW 28B.14D.900 are each amended to read as follows:

No provision of this chapter shall be deemed to repeal, override, or limit any provision of RCW 28B.15.210, 28B.15.310, 28B.15.401, 28B.20.700 through 28B.20.745, 28B.30.700 through 28B.30.780, 28B.35.700 through 28B.35.790, or 28B.40.700 through 28B.40.790, nor any provision or covenant of the proceedings of the board of regents or board of trustees of any state institution of higher education hereafter taken in the issuance of its revenue bonds secured by a pledge of its ~~((general tuition))~~ building fees and/or other revenues mentioned within such statutes. The obligation of the board to make the transfers provided for in RCW 28B.14D.070 and in RCW 28B.14C.080(2), 28B.14C.090(2), 28B.14C.100(2), 28B.14C.110(2), 28B.14C.120(2), and 28B.14C.130(2) shall be subject and subordinate to the lien and charge of any revenue bonds hereafter issued, on the ~~((general tuition))~~ building fees and/or other revenues pledged to secure such bonds, and on the moneys in the building account or capital project account and the individual institutions of higher education bond retirement funds.

Sec. 10. Section 9, chapter 233, Laws of 1981 as amended by section 14, chapter 48, Laws of 1982 1st ex. sess. and RCW 28B.14G.900 are each amended to read as follows:

No provision of this chapter shall be deemed to repeal, override, or limit any provision of RCW 28B.15.210, 28B.15.310, 28B.15.402, 28B.20.700 through 28B.20.745, 28B.30.700 through 28B.30.780, or 28B.35.700 through 28B.35.790, nor any provision or covenant of the proceedings of the board of regents or board of trustees of any state institution of higher education hereafter taken in the issuance of its revenue bonds secured by a pledge of its ~~((general tuition))~~ building fees and/or other revenues mentioned within such statutes. The obligation of the board to make the transfers provided for in RCW 28B.14G.060, chapters 28B.14C and 28B.14D RCW, and RCW 28B.20.757 shall be subject and subordinate to the lien and charge of any revenue bonds hereafter issued against ~~((general tuition))~~ building fees and/or other revenues pledged to pay and secure such bonds, and on the moneys in the building account, capital project account, the individual institutions of higher education bond retirement funds and the University of Washington hospital local fund.

Sec. 11. Section 28B.15.020, chapter 223, Laws of 1969 ex. sess. as amended by section 34, chapter 169, Laws of 1977 ex. sess. and RCW 28B.15.020 are each amended to read as follows:

The term ~~'((general))~~ 'building fees' as used in this chapter shall mean the ~~((general tuition))~~ fees charged students registering at the state's ~~((regional))~~ colleges and universities ~~(-The Evergreen State College, and the state universities for quarters or semesters other than the summer session, which fees are to be used as follows: At the University of Washington, solely for the purposes provided in RCW 28B.15.210; at Washington State University, solely for the purposes provided in RCW 28B.15.310; at each of the regional universities and at The Evergreen State College, solely for the purposes provided in RCW 28B.35.370; and at the community colleges, for the purposes provided in RCW 28B.50.320, 28B.50.360 and 28B.50.370 as now or hereafter amended)~~ which consist of:

(1) The 'building fees' as defined in section 12 of this 1985 act; and

(2) The 'operating fees' as defined in RCW 28B.15.031.

NEW SECTION. Sec. 12. A new section is added to chapter 28B.15 RCW to read as follows:

The term 'building fees' means the fees charged students registering at the state's colleges and universities, which fees are to be used as follows: At the University of Washington, solely for the purposes provided in RCW 28B.15.210; at Washington State University, solely for the purposes provided in RCW 28B.15.310; at each of the regional universities and at The Evergreen

State College, solely for the purposes provided in RCW 28B.35.370; and at the community colleges, for the purposes provided in RCW 28B.50.320, 28B.50.360 and 28B.50.370. The term 'building fees' is a renaming of the 'general tuition fee,' and shall not be construed to affect otherwise moneys pledged to, or used for bond retirement purposes.

Sec. 13. Section 2, chapter 279, Laws of 1971 ex. sess. as last amended by section 12, chapter 37, Laws of 1982 1st ex. sess. and RCW 28B.15.031 are each amended to read as follows:

The term 'operating fees' as used in this chapter shall include the fees, other than ((**general tuition**)) **building fees**, charged all students registering at the state's colleges and universities but shall not include fees for short courses, self-supporting degree credit programs and courses, marine station work, experimental station work, correspondence or extension courses, and individual instruction and student deposits or rentals, disciplinary and library fines, which colleges and universities shall have the right to impose, laboratory, gymnasium, health, and student activity fees, or fees, charges, rentals, and other income derived from any or all revenue producing lands, buildings and facilities of the colleges or universities heretofore or hereafter acquired, constructed or installed, including but not limited to income from rooms, dormitories, dining rooms, hospitals, infirmaries, housing or student activity buildings, vehicular parking facilities, land, or the appurtenances thereon, or such other special fees as may be established by any college or university board of trustees or regents from time to time. All moneys received as operating fees at any institution of higher education shall be transmitted to the state treasurer within thirty-five days of receipt to be deposited in the state general fund: PROVIDED, That two and one-half percent of moneys received as operating fees be exempt from such deposit and be retained by the institutions for the purposes of RCW 28B.15.820.

Sec. 14. Section 35, chapter 169, Laws of 1977 ex. sess. and RCW 28B.15.041 are each amended to read as follows:

The term 'services and activities fees' as used in this chapter is defined to mean fees, other than ((**general**)) tuition ((**and operating**)) fees, charged to all students registering at the state's community colleges, regional universities, The Evergreen State College, and state universities. Services and activities fees shall be used as otherwise provided by law or by rule or regulation of the board of trustees or regents of each of the state's community colleges, The Evergreen State College, the regional universities, or the state universities for the express purpose of funding student activities and programs of their particular institution. Student activity fees, student use fees, student building use fees, special student fees, or other similar fees charged to all full time students, or to all students, as the case may be, registering at the state's colleges or universities and pledged for the payment of bonds heretofore or hereafter issued for, or other indebtedness incurred to pay, all or part of the cost of acquiring, constructing or installing any lands, buildings, or facilities of the nature described in RCW 28B.10.300 as now or hereafter amended, shall be included within and deemed to be services and activities fees.

Sec. 15. Section 2, chapter 257, Laws of 1981 as amended by section 15, chapter 37, Laws of 1982 1st ex. sess. and RCW 28B.15.067 are each amended to read as follows:

((**General**)) Tuition ((**and operating**)) fees shall be established and adjusted biennially under the provisions of this chapter beginning with the 1983-84 academic year. Such fees shall be identical, subject to other provisions of this chapter, for students enrolled at either state university, for students enrolled at the regional universities and The Evergreen State College and for students enrolled at any community college. ((**The general**)) Tuition ((**and operating**)) fees shall reflect the undergraduate and graduate educational costs of the state universities, the regional universities and the community colleges, respectively, in the amounts herein prescribed.

Sec. 16. Section 7, chapter 322, Laws of 1977 ex. sess. as last amended by section 16, chapter 37, Laws of 1982 1st ex. sess. and RCW 28B.15.070 are each amended to read as follows:

The house and senate higher education committees shall develop, in cooperation with the council for postsecondary education and the respective fiscal committees of the house and senate, the office of financial management and the state institutions of higher education no later than December 1981, and at each two year interval thereafter, definitions, criteria and procedures for determining the undergraduate and graduate educational costs for the state universities, regional universities and community colleges upon which ((**general**)) tuition ((**and operating**)) fees will be based. In the event that no action is taken or disagreement exists between the committees as of that date, the recommendations of the council shall be deemed to be approved.

Sec. 17. Section 4, chapter 257, Laws of 1981 as amended by section 17, chapter 37, Laws of 1982 1st ex. sess. and RCW 28B.15.076 are each amended to read as follows:

The council for postsecondary education shall determine and transmit amounts constituting approved undergraduate and graduate educational costs to the several boards of regents and trustees of the state institutions of higher education by November 10 of each even-numbered year. ((**General**)) Tuition fees ((**and operating fees**)) shall be based on such costs in accordance with the provisions of this chapter.

Sec. 18. Section 28B.15.100, chapter 223, Laws of 1969 ex. sess. as last amended by section 11, chapter 37, Laws of 1982 1st ex. sess. and RCW 28B.15.100 are each amended to read as follows:

(1) The board of regents or board of trustees at each of the state's regional and state universities and at The Evergreen State College shall charge to and collect from each of the students registering at the particular institution for any quarter or semester such ~~((general))~~ tuition fees ~~((operating fees))~~ and services and activities fees, and other fees as such board shall in its discretion determine, the total of all such fees, the ~~((general))~~ tuition fee, ~~((operating fee))~~ and services and activities fee, to be rounded-out to the nearest whole dollar amount: PROVIDED, That such ~~((general))~~ tuition fees ~~((and operating fees))~~ for other than summer session quarters or semesters shall be in the amounts for the respective institutions as otherwise set forth in this chapter, as now or hereafter amended: PROVIDED FURTHER, That the fees charged by boards of trustees of community college districts shall be in the amounts for the respective institutions as otherwise set forth in this chapter, as now or hereafter amended.

(2) Part time students shall be charged ~~((general))~~ tuition ~~((operating))~~ and services and activities fees proportionate to full time student rates established for residents and nonresidents: PROVIDED, That students registered for fewer than two credit hours shall be charged ~~((general))~~ tuition ~~((operating))~~ and services and activities fees at the rate established for two credit hours: PROVIDED FURTHER, That residents of Idaho or Oregon who are enrolled in community college district number twenty for six or fewer credits during any quarter or semester may be allowed to enroll at resident tuition and fee rates upon a declaration by the council for post-secondary education that it finds Washington residents from such community college district are afforded substantially equivalent treatment by such other states ~~((or that, until June 30, 1983, it is in the interest of the residents of such community college district to authorize the exchange of educational opportunities between Washington and other such states on a resident tuition and fee basis))~~.

(3) Full-time students registered for more than eighteen credit hours shall be charged an additional operating fee for each credit hour in excess of eighteen hours at the established per credit hour ~~((general))~~ tuition ~~((and operating))~~ fee rate applicable to part-time students in the respective institutional tuition and fee rate categories set forth in this chapter: PROVIDED, That the boards of regents of the University of Washington and Washington State University may exempt students who are registered exclusively in first professional programs in medicine, dental medicine, veterinary medicine and law: PROVIDED FURTHER, That the state board for community college education may exempt students who are registered exclusively in required courses in vocational preparatory programs from the additional charge.

Sec. 19, Section 6, chapter 257, Laws of 1981 as amended by section 18, chapter 37, Laws of 1982 1st ex. sess. and RCW 28B.15.202 are each amended to read as follows:

~~((General))~~ Tuition fees ~~((operating fees))~~ and services and activities fees at the University of Washington and at Washington State University for other than summer quarters or semesters shall be as follows: ~~((PROVIDED, That increases in tuition and fee rates for the 1982 summer session shall reflect the increases set forth below for the 1982-83 academic year))~~

(1) For full time resident undergraduate students and all other full time resident students not in graduate study programs or enrolled in programs leading to the degrees of doctor of medicine, doctor of dental surgery, and doctor of veterinary medicine, the total ~~((of general))~~ tuition ~~((and operating))~~ fees ~~((for the 1981-82 academic year shall be nine hundred and twenty-one dollars, and for the 1982-83 academic year shall be one thousand and thirty-eight dollars, and thereafter such fees))~~ shall be one-third of the per student undergraduate educational costs at the state universities computed as provided in RCW 28B.15.067 and 28B.15.070: PROVIDED, That the ~~((general tuition))~~ building fees for each academic year shall be one hundred and twenty dollars.

(2) For full time resident graduate students not enrolled in programs leading to the degrees of doctor of medicine, doctor of dental surgery, and doctor of veterinary medicine, the total ~~((of general))~~ tuition ~~((and operating))~~ fees ~~((for the 1981-82 academic year shall be one thousand one hundred and one dollars, and for the 1982-83 academic year shall be one thousand five hundred and sixty-three dollars, and thereafter such fees))~~ shall be twenty-three percent of the per student graduate educational costs at the state universities computed as provided in RCW 28B.15.067 and 28B.15.070: PROVIDED, That the ~~((general tuition))~~ building fees for each academic year shall be one hundred and twenty dollars.

(3) For full time resident students enrolled in programs leading to the degrees of doctor of medicine, doctor of dental surgery, and doctor of veterinary medicine, the total ~~((of general))~~ tuition ~~((and operating))~~ fees ~~((for the 1981-82 academic year shall be one thousand seven hundred and ninety-one dollars, and for the 1982-83 academic year shall be two thousand six hundred and seven dollars, and thereafter such fees))~~ shall be one hundred sixty-seven percent of such fees charged in subsection (2) above: PROVIDED, That the ~~((general tuition))~~ building fees for each academic year shall be three hundred and forty-two dollars.

(4) For full time nonresident undergraduate students and such other full time nonresident students not in graduate study programs or enrolled in programs leading to the degrees of doctor of medicine, doctor of dental surgery, or doctor of veterinary medicine, the total ~~((of general))~~ tuition ~~((and operating))~~ fees ~~((for the 1981-82 academic year shall be two thousand nine hundred and ten dollars, and for the 1982-83 academic year shall be three thousand one hundred and seventeen dollars, and thereafter such fees))~~ shall be one hundred percent of the

per student undergraduate educational costs at the state universities computed as provided in RCW 28B.15.067 and 28B.15.070: PROVIDED, That the ~~((general tuition))~~ building fees for each academic year shall be three hundred and fifty-four dollars.

(5) For full time nonresident graduate students not enrolled in programs leading to the degrees of doctor of medicine, doctor of dental surgery, and doctor of veterinary medicine, the total ~~((of general))~~ tuition ~~((and operating))~~ fees ~~((for the 1981-82 academic year shall be three thousand four hundred and fifty-two dollars, and for the 1982-83 academic year))~~ shall be four thousand and seventy-four dollars, and thereafter such fees shall be sixty percent of the per student graduate educational costs at the state universities computed as provided in RCW 28B.15.067 and 28B.15.070: PROVIDED, That the ~~((general tuition))~~ building fees for each academic year shall be three hundred and fifty-four dollars.

(6) For full time nonresident students enrolled in programs leading to the degrees of doctor of medicine, doctor of dental surgery, and doctor of veterinary medicine, the total ~~((of general))~~ tuition ~~((and operating))~~ fees ~~((for the 1981-82 academic year shall be five thousand five hundred and ninety-two dollars, and for the 1982-83 academic year shall be six thousand eight hundred and four dollars, and thereafter such fees))~~ shall be one hundred sixty-seven percent of such fees charged in subsection (5) above: PROVIDED, That the ~~((general tuition))~~ building fees for each academic year shall be five hundred and fifty-five dollars.

(7) The boards of regents of each of the state universities shall charge and collect equally from each of the students registering at the particular institution and included in subsections (1) through (6) hereof a services and activities fee which for each year of the 1981-83 biennium shall not exceed one hundred and thirty-eight dollars. In subsequent biennia the board of regents may increase the existing fee, consistent with budgeting procedures set forth in RCW 28B.15.045, by a percentage not to exceed the percentage increase in tuition ~~((and operating))~~ fees authorized in subsection (1) above: PROVIDED, That such percentage increase shall not apply to that portion of the services and activities fee previously committed to the repayment of bonded debt. The services and activities fee committee provided for in RCW 28B.15.045 may initiate a request to the governing board for a fee increase.

Sec. 20. Section 28B.15.210, chapter 223, Laws of 1969 ex. sess. and RCW 28B.15.210 are each amended to read as follows:

Within thirty-five days from the date of collection thereof, all ~~((general tuition))~~ building fees at the University of Washington, including ~~((general tuition))~~ building fees to be charged students registering in the schools of medicine and dentistry, shall be paid into the state treasury and credited as follows:

One-half ~~((of the general tuition fees))~~ or such larger portion as may be necessary to prevent a default in the payments required to be made out of the bond retirement fund, and in no event shall such one-half be less than twelve dollars and fifty cents per each resident student per quarter, and thirty-seven dollars and fifty cents per each nonresident student per quarter to the 'University of Washington bond retirement fund' and the remainder thereof to the 'University of Washington building account.' The sum so credited to the University of Washington building account shall be used exclusively for the purpose of erecting, altering, maintaining, equipping, or furnishing buildings except for any sums transferred as authorized in RCW 28B.20.725(3). The sum so credited to the University of Washington bond retirement fund shall be used for the payment of principal of and interest on bonds outstanding as provided by chapter 28B.20 RCW except for any sums transferred as authorized in RCW 28B.20.725(5).

Sec. 21. Section 28B.15.220, chapter 223, Laws of 1969 ex. sess. and RCW 28B.15.220 are each amended to read as follows:

All fees except ~~((general tuition))~~ building fees shall be held by the board of regents as a revolving fund and expended for the purposes for which collected and be accounted for in accordance with law: PROVIDED, That the board of regents shall have authority to place in a separate fund or funds any or all fees or rentals exacted for the use of facilities of any dormitory, hospital, or infirmary building, and the board of regents shall have authority to pledge any or all such fees for the retirement of any bonds that may be issued for the construction of such dormitory, hospital, or infirmary building.

Sec. 22. Section 28B.15.310, chapter 223, Laws of 1969 ex. sess. and RCW 28B.15.310 are each amended to read as follows:

Within thirty-five days from the date of collection thereof, all ~~((such general tuition))~~ building fees shall be paid into the state treasury and credited to the Washington State University bond retirement fund, one-half ~~((of such general tuition fees))~~ or such larger portion as may be necessary to prevent a default in the payments required to be made out of such bond retirement fund; the remainder thereof to the Washington State University building account.

The sum so credited to the Washington State University building account shall be expended by the board of regents for buildings, equipment, or maintenance on the campus of Washington State University as may be deemed most advisable and for the best interests of the university, except for any sums transferred as authorized by law. Expenditures so made shall be accounted for in accordance with existing law and shall not be expended until appropriated by the legislature.

The sum so credited to the Washington State University bond retirement fund shall be used to pay and secure the payment of the principal of and interest on (~~tuition fee~~) building bonds issued by the university, except for any sums which may be transferred out of such fund as authorized by law.

Sec. 23. Section 28B.15.380, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 82, Laws of 1979 and RCW 28B.15.380 are each amended to read as follows:

In addition to any other exemptions as may be provided by law, the board of regents at the state universities may exempt the following classes of persons from the payment of (~~general~~) tuition fees(~~(-operating fees)~~) or services and activities fees except for individual instruction fees: (1) All veterans as defined in RCW 41.04.005: PROVIDED, That such persons are no longer entitled to federal vocational or educational benefits conferred by virtue of their military service: AND PROVIDED FURTHER, That if any such veterans have not resided in this state for one year prior to registration said board may exempt them up to one-half of the tuition payable by other nonresident students: AND, PROVIDED FURTHER, That such exemptions shall be provided only to those persons otherwise covered who were enrolled in universities on or before October 1, 1977. (2) Children after the age of nineteen years of any law enforcement officer or fire fighter who lost his life or became totally disabled in the line of duty while employed by any public law enforcement agency or full time or volunteer fire department in this state.

Sec. 24. Section 7, chapter 257, Laws of 1981 as amended by section 19, chapter 37, Laws of 1982 1st ex. sess. and RCW 28B.15.402 are each amended to read as follows:

(~~General~~) Tuition fees(~~(-operating fees)~~) and services and activities fees at the regional universities and The Evergreen State College for other than summer quarters or semesters shall be as follows: (~~PROVIDED, That increases in tuition and fee rates for the 1982 summer session shall reflect the increases set forth below for the 1982-83 academic year~~)

(1) For full time resident undergraduate students and all other full time resident students not in graduate study programs, the total (~~(of general)~~) tuition (~~(and operating)~~) fees (~~(for the 1981-82 academic year shall be six hundred eighty-two dollars and fifty cents, and for the 1982-83 academic year shall be seven hundred fifty-seven dollars and fifty cents, and thereafter such fees)~~) shall be one-fourth of the per student undergraduate educational costs at the regional universities computed as provided in RCW 28B.15.067 and 28B.15.070: PROVIDED, That the (~~general tuition~~) building fees for each academic year shall be seventy-six dollars and fifty cents.

(2) For full time resident graduate students, the total (~~(of general)~~) tuition (~~(and operating)~~) fees (~~(for the 1981-82 academic year shall be eight hundred eleven dollars and fifty cents, and for the 1982-83 academic year shall be one thousand one hundred thirty-five dollars and fifty cents, and thereafter such fees)~~) shall be twenty-three percent of the per student graduate educational costs at the regional universities computed as provided in RCW 28B.15.067 and 28B.15.070: PROVIDED, That the (~~general tuition~~) building fees for each academic year thereafter shall be seventy-six dollars and fifty cents.

(3) For full time nonresident undergraduate students and all other full time nonresident students not in graduate study programs, the total (~~(of general)~~) tuition (~~(and operating)~~) fees (~~(for the 1981-82 academic year shall be two thousand seven hundred twenty-five dollars and fifty cents, and for the 1982-83 academic year shall be three thousand twenty-five dollars and fifty cents, and thereafter such fees)~~) shall be one hundred percent of the per student undergraduate educational costs at the regional universities computed as provided in RCW 28B.15.067 and 28B.15.070: PROVIDED, That the (~~general tuition~~) building fees for each academic year shall be two hundred and ninety-five dollars and fifty cents.

(4) For full time nonresident graduate students, the total of (~~general~~) tuition (~~(and operating)~~) fees (~~(for the 1981-82 academic year shall be three thousand two hundred fifty dollars and fifty cents, and for the 1982-83 academic year shall be three thousand six hundred ninety-seven dollars and fifty cents, and thereafter such fees)~~) shall be seventy-five percent of the per student graduate educational costs at the regional universities computed as provided in RCW 28B.15.067 and 28B.15.070: PROVIDED, That the (~~general tuition~~) building fees for each academic year shall be two hundred and ninety-five dollars and fifty cents.

(5) The boards of trustees of each of the regional universities and The Evergreen State College shall charge and collect equally from each of the students registering at the particular institution and included in subsections (1) through (4) hereof a services and activities fee which for each year of the 1981-83 biennium shall not exceed one hundred eighty-four dollars and fifty cents. In subsequent biennia the board of trustees may increase the existing fee, consistent with budgeting procedures set forth in RCW 28B.15.045, by a percentage not to exceed the percentage increase in tuition (~~(and operating)~~) fees authorized in subsection (1) above: PROVIDED, That such percentage increase shall not apply to that portion of the services and activities fee previously committed to the repayment of bonded debt. The services and activities fee committee provided for in RCW 28B.15.045 may initiate a request to the governing board for a fee increase.

Sec. 25. Section 8, chapter 257, Laws of 1981 as amended by section 10, chapter 37, Laws of 1982 1st ex. sess. and RCW 28B.15.502 are each amended to read as follows:



~~((General)) Tuition fees((-operating fees)) and services and activities fees at each community college other than at summer quarters shall be as follows: ((PROVIDED, That increases in tuition and fee rates for the 1982 summer session shall reflect the increases set forth below for the 1982-83 academic year:))~~

(1) For full time resident students, the total ~~((of general)) tuition ((and operating)) fees ((for the 1981-82 academic year shall be four hundred six dollars and fifty cents, and for the 1982-83 academic year shall be four hundred fifty-four dollars and fifty cents, and thereafter such fees))~~ shall be twenty-three percent of the per student educational costs at the community colleges computed as provided in RCW 28B.15.067 and 28B.15.070: PROVIDED, That the ~~((general tuition))~~ building fees for each academic year shall be one hundred and twenty-seven dollars and fifty cents.

(2) For full time nonresident students, the total ~~((of general)) tuition ((and operating)) fees ((for the 1981-82 academic year shall be one thousand seven hundred sixty-five dollars and fifty cents, and for the 1982-83 academic year shall be one thousand nine hundred seventy-two dollars and fifty cents, and thereafter such fees))~~ shall be one hundred percent of the per student educational costs at the community colleges computed as provided in RCW 28B.15.067 and 28B.15.070: PROVIDED, That the ~~((general tuition))~~ building fees for each academic year shall be four hundred and three dollars and fifty cents.

(3) The boards of trustees of each of the state community colleges shall charge and collect equally from each of the students registering at the particular institution and included in subsections (1) and (2) hereof a services and activities fee which for each year of the 1981-83 biennium shall not exceed sixty-four dollars and fifty cents. In subsequent biennia the board of trustees may increase the existing fee, consistent with budgeting procedures set forth in RCW 28B.15.045, by a percentage not to exceed the percentage increase in tuition ~~((and operating))~~ fees authorized in subsection (1) above: PROVIDED, That such percentage increase shall not apply to that portion of the services and activities fee previously committed to the repayment of bonded debt. The services and activities fee committee provided for in RCW 28B.15.045 may initiate a request to the governing board for a fee increase.

(4) ~~((General)) Tuition((-operating fees)) and services and activities fees consistent with the above schedule will be fixed by the state board for community colleges for summer school students.~~

The board of trustees shall charge such fees for ungraded courses, noncredit courses, community services courses, and self-supporting short courses as it, in its discretion, may determine, not inconsistent with the rules and regulations of the state board for community college education.

Sec. 26. Section 29, chapter 261, Laws of 1969 ex. sess. as last amended by section 8, chapter 37, Laws of 1982 1st ex. sess. and RCW 28B.15.520 are each amended to read as follows:

Notwithstanding any other provision of this chapter or chapter 28B.50 RCW as now or hereafter amended boards of trustees of the various community colleges shall waive ~~((general))~~ tuition fees((-operating fees:)) and services and activities fees for students nineteen years of age or older who are eligible for resident tuition and fee rates as defined in RCW 28B.15.012 through 28B.15.015 and who enroll in a course of study or program which will enable them to finish their high school education and obtain a high school diploma or certificate, and the various community college boards may waive the ~~((general))~~ tuition((-operating)) and services and activities fees for children after the age of nineteen years of any law enforcement officer or fire fighter who lost his life or became totally disabled in the line of duty while employed by any public law enforcement agency or full time or volunteer fire department in this state.

Sec. 27. Section 2, chapter 50, Laws of 1984 and RCW 28B.15.522 are each amended to read as follows:

(1) The boards of trustees of the community college districts may waive the tuition~~((operating:))~~ and services and activities fees for persons under subsection (2) of this section pursuant to the following conditions:

(a) Such persons shall register for and be enrolled in courses on a space available basis and new course sections shall not be created as a result of the registration;

(b) Enrollment information on persons registered pursuant to this section shall be maintained separately from other enrollment information and shall not be included in official enrollment reports, nor shall such persons be considered in any enrollment statistics which would affect budgetary determinations; and

(c) Persons who enroll under this section shall have the same access to support services as do all other students and shall be subject to all course prerequisite requirements.

(2) A person is eligible for the waiver under subsection (1) of this section if the person:

(a) Meets the requirements for a resident student under RCW 28B.15.011 through 28B.15.015;

(b) Is twenty-one years of age or older;

(c) At the time of initial enrollment under subsection (1) of this section, has not attended an institution of higher education for the previous six months;

(d) Is not receiving or is not entitled to receive unemployment compensation of any nature under Title 50 RCW; and

(e) Has an income at or below the need standard established under chapter 74.04 RCW by the department of social and health services.

(3) The state board for community college education shall adopt rules to carry out this section.

Sec. 28. Section 2, chapter 82, Laws of 1979 as amended by section 1, chapter 220, Laws of 1983 and RCW 28B.15.535 are each amended to read as follows:

(1) The boards of regents of the state universities and the boards of trustees of regional universities, The Evergreen State College, and community colleges may waive the tuition(~~(operating~~)) and services and activities fees for full-time employees of their respective institutions of higher education enrolled in said institutions' courses on a space available basis pursuant to the following conditions:

(a) Employees shall register for and be enrolled in courses on a space available basis, and no new course sections shall be created as a direct result of such registration;

(b) Enrollment information on employees registered on a space available basis shall be maintained separately from other enrollment information and shall not be included in official enrollment reports, nor shall persons enrolled pursuant to the provisions of this section be considered in any enrollment statistics which would affect budgetary determinations;

(c) Employees registering on a space available basis shall be charged a registration fee of not less than five dollars.

(2) The governing boards of the respective colleges and universities may waive tuition(~~(operating~~)) and services and activities fees for full-time intercollegiate center for nursing education, cooperative extension service, and agricultural research employees of Washington State University for such employees stationed off the Pullman, Whitman county campus: PROVIDED, That such waiver complies with the conditions spelled out in subsection (1)(a), (b), and (c) above.

(3) The boards of regents of the state universities, the boards of trustees of the regional universities and The Evergreen State College, and the state board for community college education with respect to community colleges, shall adopt guidelines for the implementation of employee waivers granted pursuant to this section.

Sec. 29. Section 2, chapter 157, Laws of 1975 1st ex. sess. and RCW 28B.15.540 are each amended to read as follows:

Notwithstanding any other provision of this chapter or the laws of this state and consistent with the regulations and procedures established by the boards of trustees of the state colleges, the boards of regents of the state universities and the state board for community college education each institution may for Washington residents who are sixty years of age or older:

(1) Waive, in whole or in part, the tuition(~~(operating~~)) and services and activities fees for students who qualify under this section and who are enrolled for credit, and

(2) Waive the tuition(~~(operating~~)) and services and activities fees for students who qualify under this section, but charge a nominal fee not to exceed five dollars per quarter, or semester, as the case may be, for such students who are enrolled on an audit basis: PROVIDED, That residents enrolling with fee exemptions under this section shall register for not more than two quarter or semester courses at one time on a space available basis, and no new course sections shall be created as a direct result of such registration: PROVIDED FURTHER, That such waivers shall not be available to students who plan to use the course credits gained thereby for increasing credentials or salary schedule increases: PROVIDED FURTHER, That enrollment information concerning fee exemptions awarded under this section shall be maintained separately from other enrollment information but shall not be included in official enrollment reports: PROVIDED, That persons who enroll pursuant to provisions of this section shall not be considered for any purpose in determining student-teacher ratio, nor for any purpose relating to enrollment totals, nor any other statistic which would affect budgetary determinations. Persons enrolling under the provisions of this section shall have, in equal with all other students, access to course counseling services and shall be subject to all course prerequisite requirements.

Sec. 30. Section 17, chapter 278, Laws of 1984 and RCW 28B.15.543 are each amended to read as follows:

(1) The boards of regents and trustees of the regional universities, state universities, and The Evergreen State College shall waive tuition(~~(operating~~)) and service and activities fees for two years for recipients of the Washington scholars award under RCW 28A.58.820 through 28A.58.832. To qualify for the waiver, recipients shall enter the college or university within three years of high school graduation and maintain a minimum grade point average at the college or university equivalent to 3.50.

(2) The council for postsecondary education shall report to the legislature on or before January 15, 1986, on the tuition waivers for the Washington scholars program. The report shall include an evaluation and recommendations on the effect of extending the waivers for a period of four years.

Sec. 31. Section 6, chapter 267, Laws of 1984 and RCW 28B.15.545 are each amended to read as follows:

The boards of regents and trustees of the state universities, regional universities, The Evergreen State College, and the community colleges shall waive tuition(~~(-operating:)~~) and services and activities fees for a maximum of one academic year for recipients of the Washington award for vocational excellence established under RCW 28C.04.520 through 28C.04.540. To qualify for the waiver, recipients shall enter the college or university within three years of receiving the award.

Sec. 32. Section 28B.15.600, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 256, Laws of 1983 and RCW 28B.15.600 are each amended to read as follows:

The boards of regents of the state's universities and the boards of trustees of the regional universities and The Evergreen State College and community colleges may refund or cancel in full the (~~general~~) tuition(~~(-operating:)~~) and services and activities fees if the student withdraws from a university or college course or program prior to the sixth day of instruction of the quarter or semester for which said fees have been paid or are due. If the student withdraws on or after the sixth day of instruction, said boards of regents and trustees may refund or cancel up to one-half of said fees, provided such withdrawal occurs within the first thirty calendar days following the beginning of instruction. The regents or trustees of the respective universities and colleges may adopt rules for the refund of tuition and fees for courses or programs that begin after the start of the regular quarter or semester. Said boards of regents and trustees may extend the refund or cancellation period for students who withdraw for medical reasons or who are called into the military service of the United States.

Said boards of regents and trustees may refund other fees pursuant to such rules as they may prescribe.

Sec. 33. Section 1, chapter 262, Laws of 1979 ex. sess. as last amended by section 9, chapter 37, Laws of 1982 1st ex. sess. and RCW 28B.15.740 are each amended to read as follows:

(1) The boards of trustees or regents of each of the state's regional universities, The Evergreen State College, or state universities, and the various community colleges, consistent with regulations and procedures established by the state board for community college education, may waive, in whole or in part, tuition(~~(-operating:)~~) and services and activities fees subject to the limitations set forth in subsection (2).

(2) The total dollar amount of tuition and fee waivers awarded by any state university, regional university, or state college, shall not exceed four percent, and for the community colleges considered as a whole, such amount shall not exceed three percent of an amount determined by estimating the total collections from tuition(~~(-operating:)~~) and services and activities fees had no such waivers been made and deducting the portion of that total amount which is attributable to the difference between resident and nonresident fees: PROVIDED, That at least three-fourths of the dollars waived shall be for needy students who are eligible for resident tuition and fee rates pursuant to RCW 28B.15.012 through 28B.15.015: PROVIDED FURTHER, That the remainder of the dollars waived, not to exceed one-fourth of the total, may be applied to other students at the discretion of the board of trustees or regents, except on the basis of participation in intercollegiate athletic programs.

Sec. 34. Section 15, chapter 322, Laws of 1977 ex. sess. and RCW 28B.15.800 are each amended to read as follows:

Notwithstanding any other section of this 1977 amendatory act, the boards of regents and trustees of the respective institutions of higher education shall set aside from (~~general~~) tuition and fees charged in each schedule an amount heretofore pledged and necessary for the purposes of bond retirement until such time as any such debt has been satisfied.

Sec. 35. Section 9, chapter 257, Laws of 1981 as last amended by section 1, chapter 64, Laws of 1983 1st ex. sess. and RCW 28B.15.820 are each amended to read as follows:

(1) Each institution of higher education shall deposit two and one-half percent of revenues collected from tuition(~~(-operating:)~~) and services and activities fees in an institutional long-term loan fund which is hereby created and which shall be held locally. Moneys in such fund shall be used to make guaranteed loans to eligible students except as provided for in subsection (10) of this section.

(2) An 'eligible student' for the purposes of this section is a student registered for at least six credit hours or the equivalent, who is eligible for resident tuition and fee rates as defined in RCW 28B.15.012 through 28B.15.015, and who is a 'needy student' as defined in RCW 28B.10.802.

(3) The amount of the loans made under subsection (1) of this section shall not exceed the demonstrated financial need of the student. Each institution shall establish loan terms and conditions which shall be consistent with the terms of the guaranteed loan program established by 20 U.S. Code Section 1071 et(;) seq., as now or hereafter amended. All loans made shall be guaranteed by the Washington student loan guaranty association or its successor agency. Institutions are hereby granted full authority to operate as an eligible lender under the guaranteed loan program.

(4) Before approving a guaranteed loan, each institution shall analyze the ability of the student to repay the loan based on factors which include, but are not limited to, the student's accumulated total education loan burdens and the employment opportunities and average starting salary characteristics of the student's chosen fields of study. The institution shall counsel

the student on the advisability of acquiring additional debt, and on the availability of other forms of financial aid.

(5) Each institution is responsible for collection of loans made under subsection (1) of this section and shall exercise due diligence in such collection, maintaining all necessary records to insure that maximum repayments are made. Institutions shall cooperate with other lenders and the Washington student loan guaranty association, or its successor agency, in the coordinated collection of guaranteed loans, and shall assure that the guarantability of the loans is not violated. Collection and servicing of loans under subsection (1) of this section shall be performed by entities approved for such servicing by the Washington student loan guaranty association or its successor agency: PROVIDED, That institutions be permitted to perform such servicing if specifically recognized to do so by the Washington student loan guaranty association or its successor agency. Collection and servicing of loans made by community colleges under subsection (1) of this section shall be coordinated by the state board for community college education and shall be conducted under procedures adopted by such state board.

(6) Receipts from payment of interest or principal or any other subsidies to which institutions as lenders are entitled, which are paid by or on behalf of borrowers of funds under subsection (1) of this section, shall be deposited in each institution's general local fund and shall be used to cover the costs of making the loans under subsection (1) of this section and maintaining necessary records and making collections under subsection (5) of this section: PROVIDED, That such costs shall not exceed five percent of aggregate outstanding loan principle. Institutions shall maintain accurate records of such costs, and all receipts beyond those necessary to pay such costs, shall be used for the support of the institution's operating budget.

(7) The boards of regents of the state universities, the boards of trustees of the regional universities and The Evergreen State College, and the state board for community college education, on behalf of the community colleges, shall each adopt necessary rules and regulations to implement this section.

(8) Lending activities under this section shall be directed toward students who would not normally have access to educational loans from private financial institutions in Washington state, and maximum use shall be made of secondary markets in the support of loan consolidation.

(9) Short-term interim loans, not to exceed one hundred twenty days, may be made from the institutional long-term loan fund to students eligible for guaranteed student loans and whose receipt of such loans is pending. Such short-term loans shall not be subject to the guarantee restrictions or the constraints of federal law imposed by subsection (3) of this section. No such loan shall be made to any student who is known by the institution to be in default or delinquent in the payment of any outstanding student loan.

(10) Any moneys deposited in the institutional long-term loan fund which are not used in making long or short term loans or transferred to institutional operating budgets may be used by the institution for locally-administered financial aid programs for needy students, such as need-based institutional employment programs or need-based tuition and fee waiver programs. These funds shall be used in addition to and not to replace institutional funds which would otherwise support these locally-administered financial aid programs. Priority in the use of these funds shall be given to needy students who have accumulated excessive educational loan burdens. An excessive educational loan burden is a burden that will be difficult to repay given employment opportunities and average starting salaries in the student's chosen fields of study.

Sec. 36. Section 28B.20.700, chapter 223, Laws of 1969 ex. sess. and RCW 28B.20.700 are each amended to read as follows:

The board of regents of the University of Washington is empowered, in accordance with the provisions of this chapter, to provide for the construction, completion, reconstruction, remodeling, rehabilitation and improvement of buildings and facilities authorized by the legislature for the use of the university and to finance the payment thereof by bonds payable out of a special fund from revenues hereafter derived from the payment of ~~((general-tuition))~~ building fees, gifts, bequests or grants, and such additional funds as the legislature may provide.

Sec. 37. Section 28B.20.705, chapter 223, Laws of 1969 ex. sess. and RCW 28B.20.705 are each amended to read as follows:

The following terms, whenever used or referred to in this chapter, shall have the following meaning, excepting in those instances where the context clearly indicates otherwise:

(1) The word 'board' means the board of regents of the University of Washington.

(2) The words '~~((general-tuition))~~ building fees' mean the ~~((general-tuition))~~ building fees charged students registering at the university.

(3) The words 'bond retirement fund' mean the special fund created by chapter 254, Laws of 1957, to be known as the University of Washington bond retirement fund.

(4) The word 'bonds' means the bonds payable out of the bond retirement fund.

(5) The word 'projects' means the construction, completion, reconstruction, remodeling, rehabilitation, or improvement of any building or other facility of the university authorized by the legislature at any time and to be financed by the issuance and sale of bonds.

Sec. 38. Section 28B.20.715, chapter 223, Laws of 1969 ex. sess. as last amended by section 26, chapter 56, Laws of 1970 ex. sess. and RCW 28B.20.715 are each amended to read as follows:

For the purpose of financing the cost of any projects, the board is hereby authorized to adopt the resolution or resolutions and prepare all other documents necessary for the issuance, sale and delivery of the bonds or any part thereof at such time or times as it shall deem necessary and advisable. Said bonds:

(1) Shall not constitute  
 (a) An obligation, either general or special, of the state; or  
 (b) A general obligation of the University of Washington or of the board;  
 (2) Shall be  
 (a) Either registered or in coupon form; and  
 (b) Issued in denominations of not less than one hundred dollars; and  
 (c) Fully negotiable instruments under the laws of this state; and  
 (d) Signed on behalf of the university by the president of the board, attested by the secretary of the board, have the seal of the university impressed thereon or a facsimile of such seal printed or lithographed in the bottom border thereof, and the coupons attached thereto shall be signed with the facsimile signatures of such president and secretary;

(3) Shall state  
 (a) The date of issue; and  
 (b) The series of the issue and be consecutively numbered within the series; and  
 (c) That the bond is payable both principal and interest solely out of the bond retirement fund;

(4) Each series of bonds shall bear interest, payable either annually or semiannually, as the board may determine;

(5) Shall be payable both principal and interest out of the bond retirement fund;

(6) Shall be payable at such times over a period of not to exceed forty years from date of issuance, at such place or places, and with such reserved rights of prior redemption, as the board may prescribe;

(7) Shall be sold in such manner and at such price as the board may prescribe;

(8) Shall be issued under and subject to such terms, conditions and covenants providing for the payment of the principal thereof and interest thereon and such other terms, conditions, covenants and protective provisions safeguarding such payment, not inconsistent with this chapter, and as found to be necessary by the board for the most advantageous sale thereof, which may include but not be limited to:

(a) A covenant that the (~~general tuition~~) building fees shall be established, maintained and collected in such amounts that will provide money sufficient to pay the principal of and interest on all bonds payable out of the bond retirement fund, to set aside and maintain the reserves required to secure the payment of such principal and interest, and to maintain any coverage which may be required over such principal and interest;

(b) A covenant that a reserve account shall be created in the bond retirement fund to secure the payment of the principal of and interest on all bonds issued and a provision made that certain amounts be set aside and maintained therein;

(c) A covenant that sufficient moneys may be transferred from the University of Washington building account to the bond retirement fund when ordered by the board of regents in the event there is ever an insufficient amount of money in the bond retirement fund to pay any installment of interest or principal and interest coming due on the bonds or any of them;

(d) A covenant fixing conditions under which bonds on a parity with any bonds outstanding may be issued.

The proceeds of the sale of all bonds, exclusive of accrued interest which shall be deposited in the bond retirement fund, shall be deposited in the state treasury to the credit of the University of Washington building account and shall be used solely for paying the costs of the projects.

Sec. 39. Section 28B.20.720, chapter 223, Laws of 1969 ex. sess. and RCW 28B.20.720 are each amended to read as follows:

For the purpose of paying and securing the payment of the principal of and interest on the bonds as the same shall become due, there shall be paid into the state treasury and credited to a special trust fund to be known as the University of Washington bond retirement fund, the following:

(1) One-half of such (~~general tuition~~) building fees as the board may from time to time determine, or such larger portion as may be necessary to prevent default in the payments required to be made out of the bond retirement fund, and in no event shall such one-half be less than twelve dollars and fifty cents per each resident student per quarter and less than thirty-seven dollars and fifty cents per each nonresident student per quarter;

(2) Any gifts, bequests, or grants which may be made, or may become available, for the purpose of furthering the construction of any authorized projects, or for the repayment of the costs thereof;

(3) Such additional funds as the legislature may provide.

Said bond retirement fund shall be kept segregated from all moneys in the state treasury and shall, while any of such bonds or any interest thereon remains unpaid, be available solely for the payment thereof except as provided in RCW 28B.20.725(5). As a part of the contract of sale of such bonds, the board undertakes to charge and collect ((general tuition)) building fees and to deposit the portion of such fees in the bond retirement fund in amounts which will be sufficient to pay the principal of, and interest on all such bonds outstanding.

Sec. 40. Section 28B.20.735, chapter 223, Laws of 1969 ex. sess. and RCW 28B.20.735 are each amended to read as follows:

The bonds authorized to be issued pursuant to the provisions of RCW 28B.20.700 through 28B.20.740 shall not be general obligations of the state of Washington, but shall be limited obligation bonds payable only from the special fund created for their payment derived from the ((general tuition)) building fees as herein provided. The legislature may provide additional means for raising money for the payment of interest and principal of said bonds. RCW 28B.20.700 through 28B.20.740 shall not be deemed to provide an exclusive method for such payment. The power given to the legislature by this section to provide additional means for raising money is permissive, and shall not in any way be construed as a pledge of the general credit of the state of Washington.

Sec. 41. Section 28B.30.700, chapter 223, Laws of 1969 ex. sess. and RCW 28B.30.700 are each amended to read as follows:

The board of regents of Washington State University is empowered, in accordance with the provisions of RCW 28B.30.700 through 28B.30.780, to provide for the construction, completion, reconstruction, remodeling, rehabilitation and improvement of buildings and facilities authorized by the legislature for the use of the university and to finance the payment thereof by bonds payable out of a special fund from revenues hereafter derived from the payment of ((general tuition)) building fees, gifts, bequests or grants, and such additional funds as the legislature may provide.

Sec. 42. Section 28B.30.710, chapter 223, Laws of 1969 ex. sess. and RCW 28B.30.710 are each amended to read as follows:

The following terms, whenever used or referred to in RCW 28B.30.700 through 28B.30.780, shall have the following meaning, excepting in those instances where the context clearly indicates otherwise:

(1) The word 'board' means the board of regents of Washington State University.

(2) The words ((general tuition)) building fees mean the ((general tuition)) building fees charged students registering at the university, but shall not mean special tuition or other fees charged such students or fees, charges, rentals, and other income derived from any or all revenue-producing lands, buildings, and facilities of the university, heretofore or hereafter acquired, constructed or installed, including but not limited to income from rooms, dormitories, dining rooms, hospitals, infirmaries, housing or student activity buildings, vehicular parking facilities, land or the appurtenances thereon.

(3) The words 'bond retirement fund' mean the special fund created by RCW 28B.30.700 through 28B.30.780, to be known as the Washington State University bond retirement fund.

(4) The word 'bonds' means the bonds payable out of the bond retirement fund.

(5) The word 'projects' means the construction, completion, reconstruction, remodeling, rehabilitation, or improvement of any building or other facility of the university authorized by the legislature at any time and to be financed by the issuance and sale of bonds.

Sec. 43. Section 28B.30.730, chapter 223, Laws of 1969 ex. sess. as last amended by section 2, chapter 25, Laws of 1972 ex. sess. and RCW 28B.30.730 are each amended to read as follows:

For the purpose of financing the cost of any projects, the board is hereby authorized to adopt the resolution or resolutions and prepare all other documents necessary for the issuance, sale and delivery of the bonds or any part thereof at such time or times as it shall deem necessary and advisable. Said bonds:

(1) Shall not constitute

- (a) An obligation, either general or special, of the state; or
- (b) A general obligation of Washington State University or of the board;

(2) Shall be

- (a) Either registered or in coupon form; and
- (b) Issued in denominations of not less than one hundred dollars; and
- (c) Fully negotiable instruments under the laws of this state; and

(d) Signed on behalf of the university by the president of the board, attested by the secretary and the treasurer of the board, have the seal of the university impressed thereon or a facsimile of such seal printed or lithographed in the bottom border thereof, and the coupons attached thereto shall be signed with the facsimile signatures of such president and secretary;

(3) Shall state

- (a) The date of issue; and
- (b) The series of the issue and be consecutively numbered within the series; and

(c) That the bond is payable both principal and interest solely out of the bond retirement fund;

(4) Each series of bonds shall bear interest, payable either annually or semiannually, as the board may determine;

(5) Shall be payable both principal and interest out of the bond retirement fund;

(6) Shall be payable at such times over a period of not to exceed forty years from date of issuance, at such place or places, and with such reserved rights of prior redemption, as the board may prescribe;

(7) Shall be sold in such manner and at such price as the board may prescribe;

(8) Shall be issued under and subject to such terms, conditions and covenants providing for the payment of the principal thereof and interest thereon and such other terms, conditions, covenants and protective provisions safeguarding such payment, not inconsistent with RCW 28B.30.700 through 28B.30.780, and as found to be necessary by the board for the most advantageous sale thereof, which may include but not be limited to:

(a) A covenant that the ~~((general tuition))~~ building fees shall be established, maintained and collected in such amounts that will provide money sufficient to pay the principal of and interest on all bonds payable out of the bond retirement fund, to set aside and maintain the reserves required to secure the payment of such principal and interest, and to maintain any coverage which may be required over such principal and interest;

(b) A covenant that a reserve account shall be created in the bond retirement fund to secure the payment of the principal of and interest on all bonds issued and a provision made that certain amounts be set aside and maintained therein;

(c) A covenant that sufficient moneys may be transferred from the Washington State University building account to the bond retirement fund when ordered by the board of regents in the event there is ever an insufficient amount of money in the bond retirement fund to pay any installment of interest or principal and interest coming due on the bonds or any of them;

(d) A covenant fixing conditions under which bonds on a parity with any bonds outstanding may be issued.

The proceeds of the sale of all bonds, exclusive of accrued interest which shall be deposited in the bond retirement fund, shall be deposited in the state treasury to the credit of the Washington State University building account and shall be used solely for paying the costs of the projects.

Sec. 44. Section 28B.30.740, chapter 223, Laws of 1969 ex. sess. and RCW 28B.30.740 are each amended to read as follows:

For the purpose of paying and securing the payment of the principal of and interest on the bonds as the same shall become due, there shall be paid into the state treasury and credited to a special trust fund to be known as the Washington State University bond retirement fund, which fund is hereby created in the state treasury, the following:

(1) One-half of such ~~((general tuition))~~ building fees as the board may from time to time determine, or such larger portion as may be necessary to prevent default in the payments required to be made out of the bond retirement fund;

(2) Any grants which may be made, or may become available, for the purpose of furthering the construction of any authorized projects, or for the repayment of the costs thereof;

(3) Such additional funds as the legislature may provide.

Said bond retirement fund shall be kept segregated from all moneys in the state treasury and shall, while any of such bonds or any interest thereon remain unpaid, be available solely for the payment thereof except as provided in subdivision (5) of RCW 28B.30.750. As a part of the contract of sale of such bonds, the board shall undertake to charge and collect ~~((general tuition))~~ building fees and to deposit the portion of such fees in the bond retirement fund in amounts which will be sufficient to pay the principal of, and interest on all such bonds outstanding.

Sec. 45. Section 10, chapter 344, Laws of 1977 ex. sess. and RCW 28B.31.100 are each amended to read as follows:

No provision of this chapter shall be deemed to repeal, override, or limit any provision of RCW 28B.15.310 or 28B.30.700 through 28B.30.780, nor any provision or covenant of the proceedings of the board of regents of Washington State University heretofore or hereafter taken in the issuance of its revenue bonds secured by a pledge of its ~~((general tuition))~~ building fees and/or other revenues pursuant to such statutes. The obligation of the board of regents of Washington State University to make the transfers provided for in RCW 28B.31.070 shall be subject and subordinate to the lien and charge of such revenue bonds, and any revenue bonds hereafter issued, on such ~~((general tuition))~~ building fees and/or other revenues pledged to secure such bonds, and on the moneys in the Washington State University building account and the Washington State University bond retirement fund.

Sec. 46. Section 59, chapter 169, Laws of 1977 ex. sess. as amended by section 12, chapter 322, Laws of 1977 ex. sess. and RCW 28B.35.361 are each amended to read as follows:

The boards of trustees of each regional university may exempt from the payment of ~~((general))~~ tuition ~~((--operating fees--))~~ or services and activities fees, except for individual instruction fees, (1) all veterans who served in the armed forces of the United States who have served the United States during any period of war as defined in RCW 41.04.005 and who shall have served with evidence of conduct other than undesirable, bad conduct or dishonorable upon release

from active service: PROVIDED, That such person is no longer entitled to federal vocational or educational benefits conferred by virtue of his military service: PROVIDED FURTHER, That such exemptions shall be provided only to those persons otherwise covered who were enrolled in the regional universities on or before October 1, 1977, and (2) all children after the age of nineteen years of any law enforcement officer or fire fighter who lost his life or became totally disabled in the line of duty while employed by any public law enforcement agency or full time or volunteer fire department in this state.

Sec. 47. Section 28B.40.370, chapter 223, Laws of 1969 ex. sess. as amended by section 79, chapter 169, Laws of 1977 ex. sess. and RCW 28B.35.370 are each amended to read as follows:

Within thirty-five days from the date of collection thereof all ~~((general tuition))~~ building fees of each regional university and The Evergreen State College shall be paid into the state treasury and these together with such normal school fund revenues as provided in RCW 28B-35.751 as are received by the state treasury shall be credited as follows:

(1) On or before June 30th of each year the board of trustees of each regional university and The Evergreen State College, if issuing bonds payable out of its ~~((general tuition))~~ building fees and above described normal school fund revenues, shall certify to the state treasurer the amounts required in the ensuing twelve months to pay and secure the payment of the principal of and interest on such bonds. The amounts so certified by each regional university and The Evergreen State College shall be a prior lien and charge against all ~~((general tuition))~~ building fees and above described normal school fund revenues of such institution. The state treasurer shall thereupon deposit the amounts so certified in the Eastern Washington University bond retirement fund, the Central Washington University bond retirement fund, the Western Washington University bond retirement fund, or The Evergreen State College bond retirement fund respectively, which funds are hereby created in the state treasury, such funds for the regional universities being redesignations for the Eastern Washington State College bond retirement fund, the Central Washington State College bond retirement fund, and the Western Washington State College bond retirement fund, respectively. The amounts deposited in the respective bond retirement funds shall be used exclusively to pay and secure the payment of the principal of and interest on the ~~((tuition-fee))~~ building bonds issued by such regional universities and The Evergreen State College as authorized by law. If in any twelve month period it shall appear that the amount certified by any such board of trustees is insufficient to pay and secure the payment of the principal of and interest on the outstanding ~~((general tuition-fee))~~ building and above described normal school fund revenue bonds of its institution, the state treasurer shall notify the board of trustees and such board shall adjust its certificate so that all requirements of moneys to pay and secure the payment of the principal of and interest on all such bonds then outstanding shall be fully met at all times.

(2) All ~~((general tuition))~~ building fees and above described normal school fund revenue not needed for or in excess of the amounts certified to the state treasurer as being required to pay and secure the payment of ~~((general tuition-fee))~~ building or above described normal school fund revenue bond principal or interest shall be deposited in the Eastern Washington University capital projects account, the Central Washington University capital projects account, the Western Washington University capital projects account, or The Evergreen State College capital projects account respectively, which accounts are hereby created in the general fund of the state treasury~~((t))~~; such funds for the regional universities being redesignations for the Eastern Washington State College capital projects account, the Central Washington State College capital projects account, and the Western Washington State College capital projects account, respectively. The sums deposited in the respective capital projects accounts shall be appropriated and expended exclusively for the construction, reconstruction, erection, equipping, maintenance, demolition and major alteration of buildings and other capital assets, and the acquisition of sites, rights-of-way, easements, improvements or appurtenances in relation thereto except for any sums transferred therefrom as authorized by law.

Sec. 48. Section 28B.40.700, chapter 223, Laws of 1969 ex. sess. as amended by section 82, chapter 169, Laws of 1977 ex. sess. and RCW 28B.35.700 are each amended to read as follows:

The boards of trustees of the regional universities and of The Evergreen State College are empowered in accordance with the provisions of RCW 28B.35.700 through 28B.35.790, to provide for the construction, completion, reconstruction, remodeling, rehabilitation and improvement of buildings and facilities authorized by the legislature for the use of the aforementioned universities and The Evergreen State College and to finance the payment thereof by bonds payable out of special funds from revenues hereafter derived from the payment of ~~((general tuition))~~ building fees, gifts, bequests or grants and such additional funds as the legislature may provide.

Sec. 49. Section 28B.40.710, chapter 223, Laws of 1969 ex. sess. as amended by section 83, chapter 169, Laws of 1977 ex. sess. and RCW 28B.35.710 are each amended to read as follows:

The following terms, whenever used or referred to in RCW 28B.35.700 through 28B.35.790, shall have the following meaning, excepting in those instances where the context clearly indicates otherwise:

(1) The word 'boards' means the boards of trustees of the regional universities and The Evergreen State College.



(2) The words '~~((general tuition))~~ building fees' mean the ~~((general tuition))~~ building fees charged students registering at each college, but shall not mean the special tuition or other fees charged such students or fees, charges, rentals, and other income derived from any or all revenue-producing lands, buildings, and facilities of the respective colleges, heretofore or hereafter acquired, constructed or installed, including but not limited to income from rooms, dormitories, dining rooms, hospitals, infirmaries, housing or student activity buildings, vehicular parking facilities, land or the appurtenances thereon.

(3) The words 'bond retirement funds' shall mean the special funds created by law and known as the Eastern Washington University bond retirement fund, Central Washington University bond retirement fund, Western Washington University bond retirement fund, and The Evergreen State College bond retirement fund, all as referred to in RCW 28B.35.370.

(4) The word 'bonds' means the bonds payable out of the bond retirement funds.

(5) The word 'projects' means the construction, completion, reconstruction, remodeling, rehabilitation, or improvement of any building or other facility of any of the aforementioned colleges authorized by the legislature at any time and to be financed by the issuance and sale of bonds.

Sec. 50. Section 28B.40.720, chapter 223, Laws of 1969 ex. sess. as amended by section 84, chapter 169, Laws of 1977 ex. sess. and RCW 28B.35.720 are each amended to read as follows:

In addition to the powers conferred under existing law, each of the boards is authorized and shall have the power:

(1) To contract for the construction, completion, reconstruction, remodeling, rehabilitation and improvement of such buildings or other facilities of the university or college as are authorized by the legislature to be financed by the issuance and sale of bonds.

(2) To finance the same by the issuance of bonds secured by the pledge of any or all of the ~~((general tuition))~~ building fees.

(3) Without limitation of the foregoing, to accept grants from the United States government, or any federal or state agency or instrumentality, or private corporation, association, or person to aid in defraying the costs of any such projects.

Sec. 51. Section 28B.40.730, chapter 223, Laws of 1969 ex. sess. as last amended by section 85, chapter 169, Laws of 1977 ex. sess. and RCW 28B.35.730 are each amended to read as follows:

For the purpose of financing the cost of any projects, each of the boards is hereby authorized to adopt the resolution or resolutions and prepare all other documents necessary for the issuance, sale and delivery of the bonds or any part thereof at such time or times as it shall deem necessary and advisable. Said bonds:

(1) Shall not constitute

(a) An obligation, either general or special, of the state; or

(b) A general obligation of the university or college or of the board;

(2) Shall be

(a) Either registered or in coupon form; and

(b) Issued in denominations of not less than one hundred dollars; and

(c) Fully negotiable instruments under the laws of this state; and

(d) Signed on behalf of the university or college by the chairman of the board, attested by the secretary of the board, have the seal of the university or college impressed thereon or a facsimile of such seal printed or lithographed in the bottom border thereof, and the coupons attached thereto shall be signed with the facsimile signatures of such chairman and the secretary;

(3) Shall state

(a) The date of issue; and

(b) The series of the issue and be consecutively numbered within the series; and

(c) That the bond is payable both principal and interest solely out of the bond retirement fund;

(4) Each series of bonds shall bear interest, payable either annually or semiannually, as the board may determine;

(5) Shall be payable both principal and interest out of the bond retirement fund;

(6) Shall be payable at such times over a period of not to exceed forty years from date of issuance, at such place or places, and with such reserved rights of prior redemption, as the board may prescribe;

(7) Shall be sold in such manner and at such price as the board may prescribe;

(8) Shall be issued under and subject to such terms, conditions and covenants providing for the payment of the principal thereof and interest thereon and such other terms, conditions, covenants and protective provisions safeguarding such payment, not inconsistent with RCW 28B.35.700 through 28B.35.790, as now or hereafter amended, and as found to be necessary by the board for the most advantageous sale thereof, which may include but not be limited to:

(a) A covenant that the ~~((general tuition))~~ building fees shall be established, maintained and collected in such amounts that will provide money sufficient to pay the principal of and interest on all bonds payable out of the bond retirement fund, to set aside and maintain the

reserves required to secure the payment of such principal and interest, and to maintain any coverage which may be required over such principal and interest:

(b) A covenant that a reserve account shall be created in the bond retirement fund to secure the payment of the principal of and interest on all bonds issued and a provision made that certain amounts be set aside and maintained therein;

(c) A covenant that sufficient moneys may be transferred from the capital projects account of the university or college issuing the bonds to the bond retirement fund of such university or college when ordered by the board of trustees in the event there is ever an insufficient amount of money in the bond retirement fund to pay any installment of interest or principal and interest coming due on the bonds or any of them;

(d) A covenant fixing conditions under which bonds on a parity with any bonds outstanding may be issued.

The proceeds of the sale of all bonds, exclusive of accrued interest which shall be deposited in the bond retirement fund, shall be deposited in the state treasury to the credit of the capital projects account of the university or college issuing the bonds and shall be used solely for paying the costs of the projects.

Sec. 52. Section 28B.40.750, chapter 223, Laws of 1969 ex. sess. as amended by section 86, chapter 169, Laws of 1977 ex. sess. and RCW 28B.35.750 are each amended to read as follows:

For the purpose of paying and securing the payment of the principal of and interest on the bonds as the same shall become due, there shall be paid into the state treasury and credited to the respective bond retirement fund of each university or college issuing bonds, the following:

(1) Amounts derived from ~~((general tuition))~~ building fees as the board shall certify as necessary to prevent default in the payments required to be paid into such bond retirement fund;

(2) Any grants which may be made, or may become available, for the purpose of furthering the construction of any authorized projects, or for the repayment of the costs thereof;

(3) Such additional funds as the legislature may provide.

Said bond retirement fund shall be kept segregated from all moneys in the state treasury and shall, while any of such bonds or any interest thereon remains unpaid, be available solely for the payment thereof. As a part of the contract of sale of such bonds, the board shall undertake to charge and collect ~~((general tuition))~~ building fees and to deposit the portion of such fees in the bond retirement fund in amounts which will be sufficient to pay and secure the payment of the principal of, and interest on all such bonds outstanding.

Sec. 53. Section 9, chapter 269, Laws of 1969 ex. sess. as last amended by section 11, chapter 322, Laws of 1977 ex. sess. and RCW 28B.40.361 are each amended to read as follows:

The board of trustees of The Evergreen State College may exempt from the payment of ~~((general))~~ tuition~~((-operating fees))~~ or services and activities fees, except for individual instruction fees, (1) all veterans who served in the armed forces of the United States who have served the United States during any period of war as defined in RCW 41.04.005 and who shall have served with evidence of conduct other than undesirable, bad conduct or dishonorable upon release from active service: PROVIDED, That such person is no longer entitled to federal vocational or educational benefits conferred by virtue of his military service: PROVIDED FURTHER, That such exemptions shall be provided only to those persons otherwise covered who were enrolled in state colleges on or before October 1, 1977, and (2) all children after the age of nineteen years of any law enforcement officer or fire fighter who lost his life or became totally disabled in the line of duty while employed by any public law enforcement agency or full time or volunteer fire department in this state.

Sec. 54. Section 18, chapter 15, Laws of 1970 ex. sess. as amended by section 18, chapter 279, Laws of 1971 ex. sess. and RCW 28B.50.340 are each amended to read as follows:

In addition to the powers conferred under RCW 28B.50.090, the community college state board is authorized and shall have the power:

(1) To permit the district boards of trustees to contract for the construction, reconstruction, erection, equipping, maintenance, demolition and major alterations of buildings and other capital assets, and the acquisition of sites, rights-of-way, easements, improvements or appurtenances of the college as approved by the community college state board.

(2) To finance the same by the issuance of bonds secured by the pledge of up to one hundred percent of the ~~((general tuition))~~ building fees.

(3) Without limitation of the foregoing, to accept grants from the United States government, or any federal or state agency or instrumentality, or private corporation, association, or person to aid in defraying the costs of any such projects.

(4) To retain bond counsel and professional bond consultants to aid it in issuing bonds pursuant to RCW 28B.50.340 through 28B.50.400.

Sec. 55. Section 28B.50.350, chapter 223, Laws of 1969 ex. sess. as last amended by section 19, chapter 279, Laws of 1971 ex. sess. and RCW 28B.50.350 are each amended to read as follows:

For the purpose of financing the cost of any projects, the college board is hereby authorized to adopt the resolution or resolutions and prepare all other documents necessary for the

issuance, sale and delivery of the bonds or any part thereof at such time or times as it shall deem necessary and advisable. Said bonds:

- (1) Shall not constitute
  - (a) an obligation, either general or special, of the state; or
  - (b) a general obligation of the college or of the college board;

(2) Shall be

- (a) either registered or in coupon form; and
- (b) issued in denominations of not less than one hundred dollars; and
- (c) fully negotiable instruments under the laws of this state; and

(d) signed on behalf of the college board with the manual or facsimile signature of the chairman of the board, attested by the secretary of the board, have the seal of the college board impressed thereon or a facsimile of such seal printed or lithographed in the bottom border thereof, and the coupons attached thereto shall be signed with the facsimile signatures of such chairman and the secretary:

(3) Shall state

- (a) the date of issue; and
- (b) the series of the issue and be consecutively numbered within the series; and

(c) that the bond is payable both principal and interest solely out of the bond retirement fund created for retirement thereof;

(4) Each series of bonds shall bear interest, payable either annually or semiannually, as the board may determine;

(5) Shall be payable both principal and interest out of the bond retirement fund;

(6) Shall be payable at such times over a period of not to exceed forty years from date of issuance, at such place or places, and with such reserved rights of prior redemption, as the board may prescribe;

(7) Shall be sold in such manner and at such price as the board may prescribe;

(8) Shall be issued under and subject to such terms, conditions and covenants providing for the payment of the principal thereof and interest thereon and such other terms, conditions, covenants and protective provisions safeguarding such payment, not inconsistent with RCW 28B.50.330 through 28B.50.400, and as found to be necessary by the board for the most advantageous sale thereof, which may include but not be limited to:

(a) A covenant that a reserve account shall be created in the bond retirement fund to secure the payment of the principal of and interest on all bonds issued and a provision made that certain amounts be set aside and maintained therein;

(b) A covenant that sufficient moneys may be transferred from the capital projects account of the college board issuing the bonds to the bond retirement fund of the college board when ordered by the board in the event there is ever an insufficient amount of money in the bond retirement fund to pay any installment of interest or principal and interest coming due on the bonds or any of them;

(c) A covenant fixing conditions under which bonds on a parity with any bonds outstanding may be issued.

The proceeds of the sale of all bonds, exclusive of accrued interest which shall be deposited in the bond retirement fund, shall be deposited in the state treasury to the credit of the capital projects account of the college board and shall be used solely for paying the costs of the projects, the costs of bond counsel and professional bond consultants incurred in issuing the bonds, and for the purposes set forth in (8)(b) above:

(9) Shall constitute a prior lien and charge against ~~((all general tuition))~~ the building fees of the community colleges.

Sec. 56. Section 20, chapter 15, Laws of 1970 ex. sess. as last amended by section 4, chapter 112, Laws of 1974 ex. sess. and RCW 28B.50.360 are each amended to read as follows:

There is hereby created in the state treasury a community college bond retirement fund. Within thirty-five days from the date of start of each quarter all ~~((general tuition))~~ building fees of each such community college shall be paid into the state treasury, and shall be credited as follows:

(1) On or before June 30th of each year the college board if issuing bonds payable out of ~~((general tuition))~~ building fees shall certify to the state treasurer the amounts required in the ensuing twelve-month period to pay and secure the payment of the principal of and interest on such bonds. The state treasurer shall thereupon deposit the amounts so certified in the community college bond retirement fund which fund as required, is hereby created in the state treasury. Such amounts of the funds deposited in the bond retirement fund as are necessary to pay and secure the payment of the principal of and interest on the ~~((tuition fee))~~ building bonds issued by the college board as authorized by this chapter shall be exclusively devoted to that purpose. If in any twelve-month period it shall appear that the amount certified by the college board is insufficient to pay and secure the payment of the principal of and interest on the outstanding ~~((general tuition fee))~~ building bonds, the state treasurer shall notify the college board and such board shall adjust its certificate so that all requirements of moneys to pay and secure the payment of the principal and interest on all such bonds then outstanding shall be fully met at all times.

(2) That portion of the ((~~general tuition~~)) building fees not required for or in excess of the amounts necessary to pay and secure the payment of any of the bonds as provided in subsection (1) above shall be deposited in the community college capital projects account which account is hereby created in the general fund of the state treasury. The sums deposited in the capital projects account shall be appropriated and expended exclusively for the construction, reconstruction, erection, equipping, maintenance, demolition and major alteration of buildings and other capital assets owned by the state board for community college education in the name of the state of Washington, and the acquisition of sites, rights-of-way, easements, improvements or appurtenances in relation thereto, and for the payment of principal of and interest on any bonds issued for such purposes.

(3) Notwithstanding the provisions of subsections (1) and (2) above, at such time as all outstanding ((~~tuition fee~~)) building bonds of the college board payable from the community college bond retirement fund have been paid, redeemed, and retired, or at such time as ample provision has been made by the state for full payment, from some source other than the community college bond retirement fund, of the principal of and the interest on and call premium, if applicable, of such bonds as they mature and/or upon their call prior to their maturity, through refunding or otherwise, that portion of all ((~~general tuition~~)) building fees of the community colleges equal to the amount required to pay yearly debt service on any general obligation bonds issued by the state in accordance with Article VIII, section 1, Washington state Constitution, for community college purposes, shall be paid into the general fund of the state treasury. The state finance committee shall determine whether ample provision has been made for payment of such bonds payable from the said bond retirement fund and shall determine the amount required to pay yearly debt service on such general obligation bonds of the state. Nothing in this subsection shall be construed as obligating the legislature or the state to provide for payment of such community college ((~~tuition fee~~)) building bonds from some source other than the community college bond retirement fund or as pledging the general credit of the state to the payment of such bonds.

Sec. 57. Section 28B.50.370, chapter 223, Laws of 1969 ex. sess. as last amended by section 21, chapter 279, Laws of 1971 ex. sess. and RCW 28B.50.370 are each amended to read as follows:

For the purpose of paying and securing the payment of the principal of and interest on the bonds as the same shall become due, there shall be paid into the state treasury and credited to the bond retirement fund of the state board for community college education, the following:

(1) Amounts derived from ((~~general tuition~~)) building fees as are necessary to pay the principal of and interest on the bonds and to secure the same;

(2) Any grants which may be made, or may become available for the purpose of furthering the construction of any authorized projects, or for the repayment of the costs thereof;

(3) Such additional funds as the legislature may provide.

Said bond retirement fund shall be kept segregated from all moneys in the state treasury and shall, while any of such bonds or any interest thereon remains unpaid, be available solely for the payment thereof. As a part of the contract of sale of such bonds, the college board shall charge and collect ((~~general tuition~~)) building fees as established by this chapter and deposit such fees in the bond retirement fund in amounts which will be sufficient to pay and secure the payment of the principal of, and interest on all such bonds outstanding.

Sec. 58. Section 1, chapter 223, Laws of 1977 ex. sess. and RCW 28B.50.401 are each amended to read as follows:

The state finance committee has heretofore refunded, pursuant to RCW 28B.50.403 through 28B.50.407, all of the outstanding ((~~general tuition fee~~)) building bonds of the community college board payable from the community college bond retirement fund. By reason of such refunding said ((~~tuition fee~~)) bonds are no longer deemed to be outstanding and moneys presently on deposit in said bond retirement fund are no longer needed to pay and secure the payment of such refunded ((~~tuition fee~~)) bonds.

Sec. 59. Section 1, chapter 112, Laws of 1974 ex. sess. and RCW 28B.50.403 are each amended to read as follows:

The state of Washington is hereby authorized to issue state general obligation bonds for the purpose of refunding any outstanding ((~~general tuition fee~~)) building, limited obligation bonds of the college board issued pursuant to this chapter in an amount not exceeding 1.05 times the amount which, taking into account amounts to be earned from the investment of the proceeds of the issue, is required to pay the principal thereof, interest thereon, any premium payable with respect thereto, and the costs incurred in accomplishing such refunding: PROVIDED, That any proceeds of the refunding bonds in excess of those required to accomplish such refunding, or any obligations acquired with such excess proceeds, shall be applied exclusively for the payment of principal, interest, or call premiums with respect to such refunding obligations. In no event shall the amount of such refunding bonds authorized in this section exceed seventy-five million dollars.

Sec. 60. Section 2, chapter 112, Laws of 1974 ex. sess. and RCW 28B.50.404 are each amended to read as follows:

Subject to the specific provisions of RCW 28B.50.360 and 28B.50.403 through 28B.50.407, such general obligation refunding bonds shall be issued and the refunding of said community college (~~(tuition fee)~~ building) bonds shall be carried out pursuant to chapters 39.42 and 39.53 RCW as now or hereafter amended. The bonds shall pledge the full faith and credit of the state of Washington and contain an unconditional promise of the state to pay the principal thereof and interest thereon when due.

Sec. 61. Section 1, chapter 65, Laws of 1975 1st ex. sess. and RCW 28B.57.010 are each amended to read as follows:

The legislature has previously approved by its appropriation of funds from time to time, certain capital projects for the state community colleges, which appropriations were to be funded primarily by the issuance of (~~(general tuition fee)~~ building), limited obligation bonds by the state board for community college education (hereinafter in this chapter called the 'college board'). In order that any future appropriations for such approved capital projects may be funded on terms most advantageous to the state, it is hereby determined to be in the public interest to provide for the issuance of state general obligation bonds, in lieu of (~~(general tuition fee)~~ building), limited obligation bonds.

For purposes of this chapter, 'community college capital projects' means the construction, reconstruction, erection, equipping, maintenance, demolition and major alteration of buildings and other capital assets owned by the state board for community college education in the name of the state of Washington, and the acquisition of sites, rights of way, easements, improvements or appurtenances in relation thereto.

Sec. 62. Section 10, chapter 65, Laws of 1975 1st ex. sess. and RCW 28B.57.100 are each amended to read as follows:

The bonds authorized in this chapter shall be issued only after the college board has certified to the state finance committee that its projected (~~(general tuition)~~ building) fees revenue shall be adequate, based upon reasonable projections of student enrollments, for the college board to meet the requirements of RCW 28B.57.080, during the life of the bonds proposed to be issued.

Sec. 63. Section 8, chapter 65, Laws of 1975 1st ex. sess. and RCW 28B.57.080 are each amended to read as follows:

On or before June 30 of each year, the college board shall accumulate in the community college capital projects account from (~~(general tuition)~~ building) fees and other moneys deposited therein, an amount at least equal to the amount required in the next succeeding twelve months for the payment of principal of and interest on the bonds issued pursuant to this chapter. On July 1st of each such year, the state treasurer shall withdraw said sum from the community college capital projects account and deposit said sum in the state general fund: PROVIDED, That withdrawal of (~~(general tuition)~~ building) fees from the community college capital projects account for deposit into the state general fund pursuant to the provisions of this section shall be made only after provision has first been made for the payment in full of the principal of and interest on all outstanding (~~(general tuition fee)~~ building), limited obligation bonds of the college board coming due in the twelve months next succeeding July 1 of each such year, and for any reserve account deposits necessary for such outstanding bonds in the same period.

Sec. 64. Section 1, chapter 236, Laws of 1975 1st ex. sess. and RCW 28B.58.010 are each amended to read as follows:

The legislature has approved by its appropriation of funds from time to time, capital projects for the state community colleges, which appropriations have been funded primarily by the issuance of (~~(general tuition fee)~~ building), limited obligation bonds by the state board for community college education (hereinafter in this chapter called the 'college board'). In order that any future appropriations for such approved capital projects may be funded on terms most advantageous to the state, it is hereby determined to be in the public interest to provide for the issuance of state general obligation bonds, in lieu of (~~(general tuition fee)~~ building), limited obligation bonds.

For purposes of this chapter, 'community college capital projects' means the construction, reconstruction, erection, equipping, maintenance, demolition and major alteration of buildings and other capital assets owned by the state board for community college education in the name of the state of Washington, and the acquisition of sites, rights-of-way, easements, improvements or appurtenances in relation thereto. It is the intent of the legislature that in any decision to contract for capital projects funded as the result of this chapter, full and fair consideration shall be given to minority contractors.

Sec. 65. Section 7, chapter 236, Laws of 1975 1st ex. sess. and RCW 28B.58.070 are each amended to read as follows:

On or before June 30th of each year, the college board shall accumulate in the community college capital projects account from (~~(general tuition)~~ building) fees and other moneys deposited therein, an amount at least equal to the amount required in the next succeeding twelve months for the payment of principal of and interest on the bonds issued pursuant to this chapter. On July 1st of each such year, the state treasurer shall withdraw said sum from the community college capital projects account and deposit said sum in the state general fund:

PROVIDED, That withdrawal of (~~general tuition~~) building fees from the community college capital projects account for deposit into the general fund pursuant to the provisions of this section shall be made only after provision has first been made for the payment in full of the principal of and interest on all outstanding (~~general tuition fee~~) building, limited obligation bonds of the college board coming due in the twelve months next succeeding July 1st of each such year, and for any reserve account deposits necessary for such outstanding bonds in the same period.

Sec. 66. Section 9, chapter 236, Laws of 1975 1st ex. sess. and RCW 28B.58.090 are each amended to read as follows:

The bonds authorized in this chapter shall be issued only after the college board has certified to the state finance committee that its projected (~~general tuition~~) building fees revenue shall be adequate, based upon reasonable projections of student enrollments, for the college board to meet the requirements of RCW 28B.58.070, during the life of the bonds proposed to be issued.

Sec. 67. Section 1, chapter 107, Laws of 1975-'76 2nd ex. sess. and RCW 28B.59.010 are each amended to read as follows:

The legislature has approved by its appropriation of funds from time to time, capital projects for the state community colleges, which appropriations have been funded primarily by the issuance of (~~general tuition fee~~) building, limited obligation bonds by the state board for community college education (hereinafter in this chapter called the 'college board'). In order that any future appropriations for such approved capital projects may be funded on terms most advantageous to the state, it is hereby determined to be in the public interest to provide for the issuance of state general obligation bonds, in lieu of (~~general tuition fee~~) building, limited obligation bonds.

For purposes of this chapter, 'community college capital projects' means the construction, reconstruction, erection, equipping, maintenance, demolition and major alteration of buildings and other capital assets owned by the state board for community college education in the name of the state of Washington, and the acquisition of sites, rights-of-way, easements, improvements or appurtenances in relation thereto.

Sec. 68. Section 7, chapter 107, Laws of 1975-'76 2nd ex. sess. and RCW 28B.59.070 are each amended to read as follows:

On or before June 30th of each year, the college board shall accumulate in the community college capital projects account from (~~general tuition~~) building fees and other moneys deposited therein, an amount at least equal to the amount required in the next succeeding twelve months for the payment of principal of and interest on the bonds issued pursuant to this chapter. On July 1st of each such year, the state treasurer shall withdraw said sum from the community college capital projects account and deposit said sum in the state general fund: PROVIDED, That withdrawal of (~~general tuition~~) building fees from the community college capital projects account for deposit into the general fund pursuant to the provisions of this section shall be made only after provision has first been made for the payment in full of the principal of and interest on all outstanding (~~general tuition fee~~) building, limited obligation bonds of the college board coming due in the twelve months next succeeding July 1st of each such year, and for any reserve account deposits necessary for such outstanding bonds in the same period.

Sec. 69. Section 9, chapter 107, Laws of 1975-'76 2nd ex. sess. and RCW 28B.59.090 are each amended to read as follows:

The bonds authorized in this chapter shall be issued only after the college board has certified to the state finance committee that its projected (~~general tuition~~) building fees revenue shall be adequate, based upon reasonable projections of student enrollments, for the college board to meet the requirements of RCW 28B.59.070, during the life of the bonds proposed to be issued.

Sec. 70. Section 7, chapter 346, Laws of 1977 ex. sess. and RCW 28B.59B.070 are each amended to read as follows:

On or before June 30th of each year, the college board shall accumulate in the community college capital projects account from (~~general tuition~~) building fees and other moneys deposited therein, an amount at least equal to the amount required in the next succeeding twelve months for the payment of principal of and interest on the bonds issued pursuant to this chapter. Not less than thirty days prior to the date on which any such interest or principal and interest payment is due, the state treasurer shall withdraw said sum from the community college capital projects account and deposit said sum in the state general fund.

Sec. 71. Section 7, chapter 226, Laws of 1979 ex. sess. and RCW 28B.59C.070 are each amended to read as follows:

On or before June 30th of each year, the college board shall accumulate in the community college capital projects account from (~~general tuition~~) building fees and other moneys deposited therein, an amount at least equal to the amount required in the next succeeding twelve months for the payment of principal of and interest on the bonds issued under this

chapter. Not less than thirty days prior to the date on which any interest or principal and interest payment is due, the state treasurer shall withdraw the sum from the community college capital projects account and deposit the sum in the state general fund.

Sec. 72. Section 6, chapter 237, Laws of 1981 and RCW 28B.59D.060 are each amended to read as follows:

(1) On or before June 30th of each year, the college board shall accumulate in the community college capital projects account from (~~general tuition~~) building fees and other moneys deposited therein, to the extent the fees and moneys are available, an amount at least equal to the amount required in the next succeeding twelve months for the payment of principal of and interest on the bonds issued under RCW 28B.59D.010 through 28B.59D.070. Not less than thirty days prior to the date on which any interest or principal and interest payment is due, the state treasurer shall withdraw this amount, to the extent available, from the community college capital projects account and deposit it in the state general fund.

(2) The state treasurer shall make withdrawals from the community college capital projects account for deposit in the general fund of amounts equal to debt service payments on state general obligation bonds issued for community college purposes pursuant to Title 28B RCW only to the extent that funds are or become actually available in the account from time to time. Any unpaid debt service payments shall be a continuing obligation against the community college capital projects account until paid. Beginning with the 1979-1981 biennium, the state board for community college education need not accumulate any specific amount in the community college capital projects account for purposes of these withdrawals by the state treasurer."

On page 1, on line 1, after "fees;" strike the remainder of the title and insert "amending RCW 28B.10.265, 28B.14C.010, 28B.14C.080, 28B.14C.090, 28B.14C.100, 28B.14C.110, 28B.14C.120, 28B.14C.130, 28B.14D.900, 28B.14G.900, 28B.15.020, 28B.15.031, 28B.15.041, 28B.15.067, 28B.15.070, 28B.15.076, 28B.15.100, 28B.15.202, 28B.15.210, 28B.15.220, 28B.15.310, 28B.15.380, 28B.15.402, 28B.15.502, 28B.15.520, 28B.15.522, 28B.15.535, 28B.15.540, 28B.15.543, 28B.15.545, 28B.15.600, 28B.15.740, 28B.15.800, 28B.15.820, 28B.20.700, 28B.20.705, 28B.20.715, 28B.20.720, 28B.20.735, 28B.30.700, 28B.30.710, 28B.30.730, 28B.30.740, 28B.31.100, 28B.35.361, 28B.35.370, 28B.35.700, 28B.35.710, 28B.35.720, 28B.35.730, 28B.35.750, 28B.40.361, 28B.50.340, 28B.50.350, 28B.50.360, 28B.50.370, 28B.50.401, 28B.50.403, 28B.50.404, 28B.57.010, 28B.57.100, 28B.57.080, 28B.58.010, 28B.58.070, 28B.58.090, 28B.59.010, 28B.59.070, 28B.59.090, 28B.59B.070, 28B.59C.070, and 28B.59D.060; and adding a new section to chapter 28B.15 RCW."

On page 1, line 4 of the title after "28B.15.020," insert "28B.15.031"

On page 1, line 8 of the title strike "28B.15.615," and insert "28B.15.805."

On page 1, line 11 of the title after "28B.35.720" insert "28B.35.730"

On page 1, line 12 of the title after "28B.40.361" strike "28B.50.320"

On page 1, line 13 of the title after "28B.50.370," insert "28B.50.401, 28B.50.403, 28B.50.404, 28B.57.010, 28B.57.100, 28B.58.010, 28B.58.090, 28B.59.010, 28B.59.090."

On page 1, beginning on line 14 of the title after "28B.59D.060; and" strike all material down to and including "28B.15.031" on line 15 and insert "adding a new section to chapter 28B.15 RCW"

Signed by Representatives Sommers, Chair; Jacobsen, Vice Chair; Allen, Belcher, Hastings, D. Nelson, G. Nelson, Prince, Silver, Vander Stoep, K. Wilson and Wineberry.

Absent: Representatives Basich, Belcher, Miller and Unsoeld.

Passed to Committee on Rules for second reading.

March 26, 1985

SSB 4211 Prime Sponsor, Committee on Commerce & Labor: Establishing the legislative committee on economic development. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives McMullen, Chair; Kremen, Vice Chair; Braddock, Day, Hargrove, J. King, Niemi, Rayburn, Scott, L. Smith, Smitherman, Tanner, Vekich and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Lundquist, May, Schmidt, Schoon, Silver and B. Williams.

Voting nay: Representatives Doty, Lundquist, May, Schmidt, Schoon, Silver and B. Williams.

Absent: Representatives Dobbs, Thomas and van Dyke.

Referred to Committee on Ways & Means.

March 26, 1985

SB 4212 Prime Sponsor, Senator Warnke: Establishing an international trade and investment information program. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives McMullen, Chair; Kremen, Vice Chair; Braddock, Day, Doty, Hargrove, J. King, May, Niemi, Rayburn, Schoon, Scott, Silver, L. Smith, Smitherman, Tanner, Thomas, Vekich, B. Williams and Wineberry.

Voting nay: Representatives Lundquist and Schmidt.

Absent: Representatives Dobbs and van Dyke.

Referred to Committee on Ways & Means.

March 28, 1985

SSB 4255 Prime Sponsor, Committee on Parks & Ecology: Establishing a mechanism to finance the cleanup of releases of hazardous substances. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass with the following amendment:

On page 3, line 2 after "business" insert "including hazardous substances generators and users and hazardous waste generators and disposers."

Signed by Representatives Rust, Chair; Unsoeld, Vice Chair; Allen, Barnes, Jacobsen, Lux, May, Nutley and Valle.

MINORITY recommendation: Do not pass. Signed by Representatives Brough and Isaacson.

Absent: Representatives Bond, Brekke, R. King and Lewis.

Passed to Committee on Rules for second reading.

March 28, 1985

ESJM 107 Prime Sponsor, Senator Talmadge: Requesting congressional funding for cleanup of hazardous waste sites. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Rust, Chair; Unsoeld, Vice Chair; Allen, Barnes, Brough, Isaacson, Jacobsen, Lux, May, Nutley and Valle.

Absent: Representatives Bond, Brekke, R. King, Lewis and Lux.

Passed to Committee on Rules for second reading.

March 28, 1985

SSJM 121 Prime Sponsor, Committee on Agriculture: Urging Congress to amend federal law to assist farm banks. Reported by Committee on Agriculture

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Baugher, Vice Chair; Ballard, Bristow, Brooks, Chandler, Doty, Kremen, Madsen, Nealey and Peery.

Passed to Committee on Rules for second reading.

#### SECOND READING

SENATE BILL NO. 3028, by Senator Williams

Revising procedures for the disposition of archaeological materials from cairns or graves.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass as amended. (For amendment, see Journal, 66th Day, March 20, 1985.)

On motion of Ms. Belcher, the committee amendment was adopted.

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



Representatives Belcher and Hankins spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3028 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Miller, Taylor - 2.

Senate Bill No. 3028 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 3047, by Committee on Governmental Operations (originally sponsored by Senators McDermott and Zimmerman; by Legislative Budget Committee request)

Establishing the western library network.

The bill was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Belcher and Hankins spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3047, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Miller, Taylor - 2.

Substitute Senate Bill No. 3047, having received the 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. 3096, by Senators Talmadge and Halsan; by Secretary of State request

Regarding the elections held to fill the vacancies in federal offices.

The bill was read the second time. Committee on Constitution, Elections and Ethics recommendation: Majority, do pass as amended. (For amendments, see Journal, 66th Day, March 20, 1985.)

On motion of Ms. Fisher, the committee amendments were adopted.

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

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

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3096 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Miller, Taylor - 2.

Engrossed Senate Bill No. 3096 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 3121, by Senators Granlund, Hansen, Garrett, Vognild and Bender; by Department of Transportation request

Authorizing DOT activities to receive federal funds.

The bill was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3121, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Miller, Taylor - 2.

Senate Bill No. 3121, having received the 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. 3144, by Senators Garrett and Barr

Updating statutory references in the Model Traffic Ordinance.

The bill was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3144, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers,

Sutherland, Tanner, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Miller, Taylor - 2.

Senate Bill No. 3144, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

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

#### RESOLUTIONS

On motion of Mr. Appelwick, the rules were suspended to allow consideration of House Resolution No. 40 and House Resolution No. 41.

HOUSE FLOOR RESOLUTION NO. 85-41, by Representatives Basich, Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Ehlers, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, J. King, P. King, R. King, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, D. Nelson, G. Nelson, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, C. Smith, L. Smith, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Vander Stoep, van Dyke, Van Luven, Vekich, Walk, Walker, Wang, West, B. Williams, J. Williams, K. Wilson, S. Wilson, Wineberry, Winsley and Zellinsky

WHEREAS, A state song captures the purpose, identity and quality of the people for whom it is sung; and

WHEREAS, The State of Washington has a state song which reflects its diversity, beauty, energy and history; and

WHEREAS, "Washington My Home" has been the recognized official state song of Washington for twenty-five years; and

WHEREAS, The state and all its citizens are grateful to Mrs. Helen Davis, the composer of the state song, for the strength, sincerity and grace with which she has combined words and music to honor Washington and its citizens; and

WHEREAS, Helen Davis remains an active, vitally involved member of her community, reflecting in her personal life the quality her song describes for the State of Washington; and

WHEREAS, Helen Davis has been a good sport, responding to the acclaim given the song "Louie, Louie" with grace and good nature; and

WHEREAS, Helen Davis recognizes that the citizens of Washington include people who are not part of the baby boom generation, who do not understand the words to "Louie, Louie" and do not care to learn them; and

WHEREAS, Many of the citizens of Washington enjoy a tune which is a hybrid of a waltz and a polka, emphasizing that the thrust of her song comes from the heart, not the hip;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington, by the adoption of this Resolution, recognizes and praises the good work of Helen Davis and heartily thanks her for her skill, her many contributions and for "Washington My Home," the official song of the State of Washington; and

BE IT FURTHER RESOLVED, That the House of Representatives of the State of Washington hereby declares Friday, March 29, 1985 to be "Washington My Home" Day; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives shall immediately transmit a copy of this Resolution to Helen Davis, composer of "Washington My Home."

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

HOUSE FLOOR RESOLUTION NO. 85-40, by Representatives Ballard and Tilly

WHEREAS, The Cle Elum High School Women's Basketball Team has won the Washington State Women's Class A Basketball Championship for 1985; and

WHEREAS, Last weekend's tournament victory in the Tacoma Dome was an unprecedented fourth state title in five years for the Cle Elum Warriors Women's team; and

WHEREAS, The team previously captured the Class A state championship in 1981, 1982 and 1983, and finished third in the state in 1984; and

WHEREAS, The Cle Elum team finished this year's season with an outstanding record of twenty-six wins and one loss; and

WHEREAS, Cle Elum Women's Basketball Coach Janis Kendrick has proven herself an outstanding instructor in this her first year of coaching at Cle Elum High school; and

WHEREAS, The Cle Elum Warriors have demonstrated tremendous skill, teamwork and determination; and

WHEREAS, Individual players gave of themselves with unswerving commitment in hours of practice and unselfish team play; and

WHEREAS, This championship team includes: Kerri Browitt, Theresa Montgomery, Kelly Kretshman, Tabetha Hansen, Lisa Malcolm, Trina Borek, Melissa Wood, Sandra Reddy, April Ficca and Christa Roseburg; and

WHEREAS, Theresa Montgomery deserves special recognition as the team's only senior; and

WHEREAS, The people of Cle Elum are very proud of the young people on this team and have every right to be;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives congratulates the Cle Elum High School Women's Basketball Team on its outstanding achievements; and

BE IT FURTHER RESOLVED, That the House of Representatives congratulates the people of Cle Elum for raising such fine, competitive young women; and

BE IT FURTHER RESOLVED, That the House of Representatives extends its best wishes to the members of this fine team for success in whatever future endeavors they choose; and

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Cle Elum High School Principal Bill Tracy, Coach Kendrick, Assistant Coach Laura James, Manager Susan Gould and each member of the team mentioned in this resolution.

Mr. Tilly moved adoption of the resolution. Representatives Tilly and Ballard spoke in favor of the resolution, and it was adopted.

#### MOTIONS

On motion of Mr. Appelwick, SENATE BILL NO. 3569 and SUBSTITUTE SENATE BILL NO. 4241 were rereferred from Committee on State Government to Committee on Ways & Means.

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

#### SECOND READING

ENGROSSED SENATE BILL NO. 3189, by Senators Thompson, Granlund, Kreidler, McManus, DeJarnatt, Garrett and Vognild

Allowing payroll deductions for political action committees of public employee organizations.

The bill was read the second time. Committee on Constitution, Elections and Ethics recommendation: Majority, do pass as amended. (For amendments, see Journal, 66th Day, March 20, 1985.)

Ms. Fisher moved adoption of the committee amendments.

Mr. Barnes moved adoption of the following amendment to the committee amendments:

On page 1, line 11 following "committee," insert "A labor or employee organization which sponsors a political action committee shall allow its members who utilize this deduction to

either designate who will receive the political action committee contributions, or vote on who will receive the political action committee contributions."

Mr. Barnes spoke in favor of the amendment to the amendments, and Ms. Fisher spoke against it.

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

Mr. Sayan opposed the amendment to the amendments, and Representatives Barrett and Addison spoke in favor of it.

#### POINT OF INQUIRY

Mr. Barnes yielded to question by Mr. Sayan.

Mr. Sayan: "Representative Barnes, by your amendment, is it your intent that labor and employee organizations would be obliged by this PAC rule and not business entities of any kind?"

Mr. Barnes: "No, I think it speaks to the payroll deductions of state employees. Certainly, it is my concept that people, the individual, should make up their own minds on who they support and what candidate and what ballot issue they support. That concept, of course, would apply to people involved in business or people involved in labor. Either way, it's a very personal choice that you make when you vote for a candidate. That choice should never be turned over to an organization, be it business or labor."

Mr. Sayan: "You are suggesting that this would not apply to an organization that was an independent business group or any other political action committee, but only to employees?"

Mr. Barnes: "The bill that we are dealing with, Representative Sayan, deals with deductions from the payroll of state employees. If we could apply my concept more broadly, I would certainly like to do so."

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Barnes to the committee amendments to Engrossed Senate Bill No. 3189, and the amendment to the amendments was not adopted by the following vote: Yeas, 43; nays, 53; excused, 2.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Thomas, Tilly, Valle, van Dyke, Van Loven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S - 43.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Vekich, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 53.

Excused: Representatives Miller, Taylor - 2.

Ms. Thomas moved adoption of the following amendment to the committee amendments:

On page 1, line 11 of the amendment following "committee." insert "The political committee or fund must (1) require an annual affirmative written renewal of the contribution, and (2) state that the contribution is optional."

Representatives Thomas and Silver spoke in favor of the amendment to the amendments, and Ms. Belcher spoke against it.

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

#### POINT OF INQUIRY

Ms. Belcher yielded to question by Mr. Smitherman.

Mr. Smitherman: "Representative Belcher, in reading the bill I was sort of led to believe that this is a rather optional arrangement for people, state employees, and

that at any time they decided they wanted to drop out of making the contribution, they could do so. Is that correct?"

Ms. Belcher: "Absolutely. That's true of all deductions from payroll."

Representatives Smitherman and Sayan opposed the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Thomas to the committee amendments to Engrossed Senate Bill No. 3189, and the amendment was not adopted by the following vote: Yeas, 42; nays, 54; excused, 2.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S - 42.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 54.

Excused: Representatives Miller, Taylor - 2.

Ms. Walker moved adoption of the following amendment to the committee amendments:

On page 1, line 11 of the amendments following "committee," insert "All costs relating to implementing and maintaining the program for voluntary deductions to political action committees shall be borne by, and assessed against, the recipient political action committees. A deduction for a political action committee is not authorized unless the committee has agreed to pay a reasonable fee. This fee shall be set by the office of financial management and shall produce sufficient revenues to pay for implementing and maintaining the program for deductions to political action committees."

Representatives Walker, Padden, Addison and C. Smith spoke in favor of the amendment to the amendments, and Representatives Sayan and Fisher opposed it.

Mr. Sayan again opposed the amendment to the amendments.

Ms. Silver demanded an electric roll call vote and the demand was sustained.

Representatives B. Williams and Long spoke in favor of the amendment, and Ms. Fisher again opposed it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Walker to the committee amendments to Engrossed Senate Bill No. 3189, and the amendment to the amendments was not adopted by the following vote: Yeas, 46; nays, 50; excused, 2.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Bristow, Brooks, Brough, Chandler, Dobbs, Doty, Fisch, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Locke, Long, Lundquist, May, Nealey, Nelson D, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S - 46.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Cole, Crane, Day, Dellwo, Ebersole, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Lux, Madsen, McMullen, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 50.

Excused: Representatives Miller, Taylor - 2.

The committee amendments were adopted.

Engrossed Senate Bill No. 3189 as amended by the House was passed to Committee on Rules for third reading.

SUBSTITUTE SENATE BILL NO. 3309, by Committee on Governmental Operations (originally sponsored by Senators Granlund and Zimmerman)

Authorizing county legislative authorities to set certain license fees.

The bill was read the second time. Committee on Local Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 66th Day, March 20, 1985.)

On motion of Ms. Nutley, the committee amendments were adopted.

The Clerk read the following amendment by Representatives Braddock, McMullen, Silver, Bristow, Zellinsky, Barrett, Kremen and Haugen:

On page 5, after line 20, insert the following:

"Sec. 7, Section 1, chapter 169, Laws of 1935 as last amended by section 2, chapter 206, Laws of 1983 and RCW 19.28.010 are each amended to read as follows:

(1) All wires and equipment, and installations thereof, that convey electric current and installations of equipment to be operated by electric current, in, on, or about buildings or structures, except for telephone, telegraph, radio, and television wires and equipment, and television antenna installations, signal strength amplifiers, and coaxial installations pertaining thereto shall be in strict conformity with this chapter, the statutes of the state of Washington, and the rules issued by the department, and shall be in conformity with approved methods of construction for safety to life and property. All wires and equipment that fall within section 90.2(b)(5) of the National Electrical Code, 1981 edition, are exempt from the requirements of this chapter. The regulations and articles in the National Electrical Code, as approved by the American Standards Association, and in the national electrical safety code, as approved by the American Standards Association, and other installation and safety regulations approved by the American Standards Association, as modified or supplemented by rules issued by the department in furtherance of safety to life and property under authority hereby granted, shall be prima facie evidence of the approved methods of construction. All materials, devices, appliances, and equipment used in such installations shall be of a type that conforms to applicable standards or be indicated as acceptable by the established standards of the Underwriters' Laboratories, Inc. or other equivalently national recognized authorities.

(2) This chapter shall not limit the authority or power of any city ~~((or)),~~ town, or county to enact and enforce under authority given by law, any ordinance, rule, or regulation requiring an equal, higher, or better standard of construction and an equal, higher, or better standard of materials, devices, appliances, and equipment than that required by this chapter. In a city ~~((or)),~~ town, or county having an equal, higher, or better standard the installations, materials, devices, appliances, and equipment shall be in accordance with the ordinance, rule, or regulation of the city ~~((or)),~~ town, or county.

(3) Nothing in this chapter may be construed as permitting the connection of any conductor of any electric circuit with a pipe that is connected with or designed to be connected with a waterworks piping system, without the consent of the person or persons legally responsible for the operation and maintenance of the waterworks piping system.

Sec. 8, Section 3, chapter 206, Laws of 1983 and RCW 19.28.015 are each amended to read as follows:

Disputes arising under RCW 19.28.010(2) regarding whether the city ~~((or town's)),~~ town, or county's electrical rules, regulations, or ordinances are equal to the rules adopted by the department shall be resolved by arbitration. The department shall appoint two members of the advisory board to serve on the arbitration panel, and the city ~~((or)),~~ town, or county shall appoint two persons to serve on the arbitration panel. These four persons shall choose a fifth person to serve. If the four persons cannot agree on a fifth person, the presiding judge of the superior court of the county ~~((in which the city or town is located))~~ shall choose a fifth person. A decision of the arbitration panel may be appealed to the superior court of the county ~~((in which the city or town is located))~~ within thirty days after the date the panel issues its final decision.

Sec. 9, Section 3, chapter 169, Laws of 1935 as last amended by section 61, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 19.28.070 are each amended to read as follows:

The director of labor and industries of the state of Washington and the officials of all counties and incorporated cities and towns where electrical inspections are required by local ordinances shall have power and it shall be their duty to enforce the provisions of this chapter in their respective jurisdictions. The director of labor and industries shall have power to appoint an electrical inspector, and such assistant inspectors as he shall deem necessary to assist him in the performance of his duties. All electrical inspectors appointed by the director of labor and industries shall be electricians of not less than four years experience in installing and maintaining electrical equipment, or four years experience as electrical inspectors for a municipality, or two years electrical training in a college of electrical engineering of recognized standing, and two years continuous practical electrical experience in installation work or four years of electrical training in a college of electrical engineering of recognized standing. Such

state inspectors shall be paid such salary as the director of labor and industries shall determine, together with their travel expenses in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended. The expenses of the director of labor and industries and the salaries and expenses of state inspectors incurred in carrying out the provisions of this chapter shall be paid entirely out of the electrical license fund, upon vouchers approved by the director of labor and industries.

Sec. 10. Section 1, chapter 30, Laws of 1969 as last amended by section 5, chapter 206, Laws of 1983 and RCW 19.28.120 are each amended to read as follows:

(1) It is unlawful for any person, firm, partnership, corporation, or other entity to engage in, conduct, or carry on the business of installing or maintaining wires or equipment to convey electric current, or installing or maintaining equipment to be operated by electric current as it pertains to the electrical industry, without having an unrevoked, unsuspended, and unexpired electrical contractor license, issued by the department in accordance with this chapter. All electrical contractor licenses expire on the thirty-first day of December following the day of their issue. Application for an electrical contractor license shall be made in writing to the department, accompanied by the required fee. The application shall state the name and address of the applicant; in case of firms or partnerships, the names of the individuals composing the firm or partnership; in case of corporations, the names of the managing officials thereof; the location of the place of business of the applicant and the name under which the business is conducted; and whether a general or specialty electrical contractor license is sought and, if the latter, the type of specialty. Electrical contractor specialties include, but are not limited to: Residential, domestic appliances, pump and irrigation, limited energy system, signs, and non-residential maintenance. A general electrical contractor license shall grant to the holder the right to engage in, conduct, or carry on the business of installing or maintaining wires or equipment to carry electric current, and installing or maintaining equipment, or installing or maintaining material to fasten or insulate such wires or equipment to be operated by electric current, in the state of Washington. A specialty electrical contractor license shall grant to the holder a limited right to engage in, conduct, or carry on the business of installing or maintaining wires or equipment to carry electrical current, and installing or maintaining equipment; or installing or maintaining material to fasten or insulate such wires or equipment to be operated by electric current in the state of Washington as expressly allowed by the license.

(2) The application for a contractor license shall be accompanied by a bond in the sum of three thousand dollars with the state of Washington named as obligee in the bond, with good and sufficient surety, to be approved by the department. The bond shall at all times be kept in full force and effect, and any cancellation or revocation thereof, or withdrawal of the surety therefrom, suspends the license issued to the principal until a new bond has been filed and approved as provided in this section. Upon approval of a bond, the department shall on the next business day deposit the fee accompanying the application in the electrical license fund and shall file the bond in the office. The department shall upon request furnish to any person, firm, partnership, corporation, or other entity a certified copy of the bond upon the payment of a fee that the department shall set by rule. The fee shall cover but not exceed the cost of furnishing the certified copy. The bond shall be conditioned that in any installation or maintenance of wires or equipment to convey electrical current, and equipment to be operated by electrical current, the principal will comply with the provisions of this chapter and with any electrical ordinance, building code, or regulation of a city ((or)), town, or county adopted pursuant to RCW 19.28.010(2) that is in effect at the time of entering into a contract. The bond shall be conditioned further that the principal will pay for all labor, including employee benefits, and material furnished or used upon the work, taxes and contributions to the state of Washington, and all damages that may be sustained by any person, firm, partnership, corporation, or other entity due to a failure of the principal to make the installation or maintenance in accordance with this chapter or any applicable ordinance, building code, or regulation of a city ((or)), town, or county adopted pursuant to RCW 19.28.010(2). In lieu of the surety bond required by this section the license applicant may file with the department a cash deposit or other negotiable security acceptable to the department. If the license applicant has filed a cash deposit, the department shall deposit the funds in a special trust savings account in a commercial bank, mutual savings bank, or savings and loan association and shall pay annually to the depositor the interest derived from the account.

(3) The department shall issue general or specialty electrical contractor licenses to applicants meeting all of the requirements of this chapter. The provisions of this chapter relating to the licensing of any person, firm, partnership, corporation, or other entity including the requirement of a bond with the state of Washington named as obligee therein and the collection of a fee therefor, are exclusive, and no political subdivision of the state of Washington may require or issue any licenses or bonds or charge any fee for the same or a similar purpose. No person, firm, partnership, corporation, or other entity holding more than one specialty contractor license under this chapter may be required to pay an annual fee for more than one such license or to post more than one three thousand dollar bond, equivalent cash deposit, or other negotiable security.



(4) To obtain a general or specialty electrical contractor license the applicant must designate an individual who currently possesses an administrator's certificate as a general electrical contractor administrator or as a specialty electrical contractor administrator in the specialty for which application has been made. Administrator certificate specialties include but are not limited to: Residential, domestic, appliance, pump and irrigation, limited energy system, signs, and nonresidential maintenance. To obtain an administrator's certificate an individual must pass an examination as set forth in RCW 19.28.123 unless the applicant was a licensed electrical contractor at any time during 1974. Applicants who were electrical contractors licensed by the state of Washington at any time during 1974 are entitled to receive a general electrical contractor administrator's certificate without examination if the applicants apply prior to January 1, 1984. The board of electrical examiners shall certify to the department the names of all persons who are entitled to either a general or specialty electrical contractor administrator's certificate.

Sec. 11. Section 6, chapter 169, Laws of 1935 and RCW 19.28.190 are each amended to read as follows:

No person, firm or corporation engaging in, conducting or carrying on the business of installing wires or equipment to convey electric current, or installing apparatus to be operated by said current, shall be entitled to commence or maintain any suit or action in any court of this state pertaining to any such work or business, without alleging and proving that such person, firm or corporation held, at the time of commencing and performing such work, an unexpired, unrevoked and unsuspended license issued under the provisions of this chapter; and no city ((or)), town, or county requiring by ordinance or regulation a permit before any such electrical work is installed, shall issue such permit to any person, firm or corporation not holding such license.

Sec. 12. Section 8, chapter 169, Laws of 1935 as last amended by section 7, chapter 206, Laws of 1983 and RCW 19.28.210 are each amended to read as follows:

The director shall cause an inspector to inspect all wiring, appliances, devices, and equipment to which this chapter applies. Nothing contained in this chapter may be construed as providing any authority for any subdivision of government to adopt by ordinance any provisions contained or provided for in this chapter except those pertaining to cities ((and)), towns, and counties pursuant to RCW 19.28.010(2). Upon request, electrical inspections will be made by the department within forty-eight hours, excluding holidays, Saturdays, and Sundays. If, upon written request, the electrical inspector fails to make an electrical inspection within twenty-four hours, the serving utility may immediately connect electrical power to the installation if the necessary electrical work permit is displayed. Whenever the installation of any wiring, device, appliance, or equipment is not in accordance with this chapter, or is in such a condition as to be dangerous to life or property, the person, firm, partnership, corporation, or other entity owning, using, or operating it shall be notified by the department and shall within fifteen days, or such further reasonable time as may upon request be granted, make such repairs and changes as are required to remove the danger to life or property and to make it conform to this chapter. The director, through the inspector, is hereby empowered to disconnect or order the discontinuance of electrical service to conductors or equipment that are found to be in a dangerous or unsafe condition and not in accordance with this chapter. Upon making a disconnection the inspector shall attach a notice stating that the conductors have been found dangerous to life or property and are not in accordance with this chapter. It is unlawful for any person to reconnect such defective conductors or equipment without the approval of the department, and until the conductors and equipment have been placed in a safe and secure condition, and in a condition that complies with this chapter. The director, through the electrical inspector, has the right during reasonable hours to enter into and upon any building or premises in the discharge of his or her official duties for the purpose of making any inspection or test of the installation of new construction or altered electrical wiring, electrical devices, equipment, or material contained in or on the buildings or premises. No electrical wiring or equipment subject to this chapter may be concealed until it has been approved by the inspector making the inspection. Persons, firms, partnerships, corporations, or other entities making electrical installations shall obtain inspection and approval from an authorized representative of the department as required by this chapter before requesting the electric utility to connect to the installations. Electric utilities may connect to the installations if approval is clearly indicated by certification of the electrical work permit required to be affixed to each installation or by equivalent means, except that increased or relocated services may be reconnected immediately at the discretion of the utility before approval if an electrical work permit is displayed. The permits shall be furnished upon payment of the fee to the department. The director, subject to the recommendations and approval of the advisory board, shall set by rule a schedule of license and electrical work permit fees that will cover the costs of administration and enforcement of this chapter. The rules shall be adopted in accordance with the administrative procedure act, chapter 34.04 RCW. No fee may be charged for plug-in mobile homes, recreational vehicles, or portable appliances.

Sec. 13. Section 3, chapter 325, Laws of 1959 as last amended by section 1, chapter 97, Laws of 1967 ex. sess. and RCW 19.28.360 are each amended to read as follows:

The provisions of RCW 19.28.210 shall not apply:

(1) Within the corporate limits of any incorporated city ((or)), town, or county which has heretofore adopted and enforced or subsequently adopts and enforces an ordinance requiring an equal, higher or better standard of construction and of materials, devices, appliances and equipment than is required by this chapter: PROVIDED, That such city ((or)), town, or county shall require that its electrical inspectors meet qualifications provided for state electrical inspectors in accordance with RCW 19.28.070.

(2) Within the service area of an electricity supply agency owned and operated by a city ((or)), town, or county, which is supplying electricity and enforcing a standard of construction and materials outside its corporate limits at the time this act takes effect: PROVIDED, That such city, town, county, or agency shall henceforth enforce by inspection within its service area outside its corporate limits the same standards of construction and of materials, devices, appliances and equipment as is enforced by the department of labor and industries under the authority of this chapter: PROVIDED FURTHER, That fees charged henceforth in connection with such enforcement shall not exceed those established in RCW 19.28.210."

Renumber the section following consecutively.

With the consent of the House, the amendment was withdrawn.

#### POINT OF ORDER

Mr. Braddock: "Mr. Speaker, I wished to offer that amendment."

#### SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Representative Braddock, we have already taken action. According to Reed's Rule 147, it states: 'Whenever a motion to strike out a paragraph is pending, it is in order for the assembly to amend the paragraph, its friends being entitled to perfect it before the vote on striking it out is taken. This is because if the motion to strike out is negative, it is equivalent to an adoption of the words of the paragraph by the assembly, and it can not then be modified....' It appears that we have already taken action and the House has adopted the motion to strike out and insert. It's too late for your amendment."

On motion of Ms. Nutley, the committee amendment to the title of the bill was adopted.

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

Representatives Nutley and Brough spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3309 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yeas: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Miller, Taylor - 2.

Substitute Senate Bill No. 3309 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SENATE AMENDMENTS TO HOUSE BILL

March 27, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 490 with the following amendments:

On page 3, after line 29 insert the following:

"NEW SECTION. Sec. 5. A new section is added to chapter 53, Laws of 1983 1st ex. sess. to read as follows:

The department of transportation may transfer up to \$450,000 of motor vehicle fund—state appropriations contained in sections 13 and 14 of chapter 53, Laws of 1983 1st ex. sess. into section 12 of chapter 53, Laws of 1983 1st ex. sess. for the sole purpose of funding expenditures incurred by the attorney general's office for tort claims administration."

On page 4, after line 2, insert the following:

"Sec. 6. Section 8, chapter 53, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE PATROL

Motor Vehicle Fund—State Patrol Highway Account Appropriation . . . . .	\$	<del>((103,510,024))</del>
		<u>104,294,894</u>
Highway Safety Fund Appropriation . . . . .	\$	11,875
Total Appropriation . . . . .	\$	<del>((103,529,899))</del>
		<u>104,306,769</u>

The appropriations in this section are subject to the following condition or limitation: The highway safety fund appropriation in this section is provided for the vehicle equipment safety commission."

Renumber the sections following consecutively.

In line 7 of the title, after "(uncodified);" insert "amending section 8, chapter 53, Laws of 1983 1st ex. sess. (uncodified);"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Walk moved that the House do concur in the Senate amendments to Substitute House Bill No. 490.

Representatives Walk and Schmidt spoke in favor of the motion, and it was carried.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 490 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 490 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yeas: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brække, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Miller, Taylor - 2.

Substitute House Bill No. 490 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Appelwick, the House advanced to the seventh order of business.

#### THIRD READING

SENATE BILL NO. 3551, by Senator McDermott

Clarifying the tax statutes as a result of Bond v. Burrows 103 Wn. 2d 153 (1984).

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

Mr. Appelwick spoke in favor of passage of the bill, and Mr. Hastings spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3551, and the bill passed the House by the following vote: Yeas, 51; nays, 45; excused, 2.

Voting yea: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Cole, Crane, Dellwo, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, and Mr. Speaker - 51.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Bristow, Brooks, Brough, Chandler, Day, Dobbs, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley, Zellinsky - 45.

Excused: Representatives Miller, Taylor - 2.

Senate Bill No. 3551, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## STATEMENT FOR THE JOURNAL

Had I been in session today, I would have cast these votes:

SB 3028, Yes; SSB 3047, Yes; ESB 3096, Yes; SB 3121, Yes; SB 3144, Yes; SSB 3309, Yes and SB 3551, No.

LOUISE MILLER, 45th District.

## MOTION

On motion of Mr. Appelwick, the House adjourned until 10:00 a.m., Monday, April 1, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk

## SEVENTY-EIGHTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Monday, April 1, 1985.

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

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Chrissy Ott and Tom Weimer. Prayer was offered by Reverend Jed P. Minton, Christian Life Center of Port Orchard.

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

## MESSAGES FROM THE SENATE

March 29, 1985

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 3072, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

March 29, 1985

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 3073, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

March 29, 1985

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 3076, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

March 29, 1985

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 3079, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

## REPORTS OF STANDING COMMITTEES

March 28, 1985

SSB 3146 Prime Sponsor, Committee on Human Services & Corrections: Updating the names and capacities of corrections institutions. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass. Signed by Representatives Brekke, Chair; Day, Vice Chair; Armstrong, Ballard, Braddock, Brooks, Dellwo, Leonard, Lewis, Lux, Scott, West, S. Wilson and Winsley.

Absent: Representatives Lewis and Tanner.

Passed to Committee on Rules for second reading.

March 28, 1985

SB 3148 Prime Sponsor, Senator Granlund: Repealing provisions relating to special adult supervision programs. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass. Signed by Representatives Brekke, Chair; Day, Vice Chair; Armstrong, Ballard, Braddock, Brooks, Dellwo, Dobbs, Leonard, Lewis, Lux, Padden, Scott and West.

Absent: Representatives Dobbs, Lux, Tanner, S. Wilson and Winsley.

Passed to Committee on Rules for second reading.

March 29, 1985

SB 3167 Prime Sponsor, Senator Talmadge: Extending timeshare regulation. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendments:

On page 2, beginning on line 21 strike all of section 2.

On page 1, line 1 of the title after "64.36.010" strike all material through "64.36.903" on line

2.

Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, P. King, Lewis, Locke, G. Nelson, Niemi, Schmidt, Schoon, Tilly, Van Luvan, West and Wang.

Absent: Representatives Padden and Tilly.

Passed to Committee on Rules for second reading.

March 29, 1985

SSB 3184 Prime Sponsor, Committee on Governmental Operations: Providing state-owned housing for certain state employees. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

**NEW SECTION.** Sec. 1. The legislature recognizes that significant benefits accrue to the state and that certain types of state operations are more efficient when personnel services are available on an extended basis. Such operations include certain types of facilities managed by agencies such as the departments of natural resources, corrections, fisheries, game, social and health services, transportation, veterans affairs, and the parks and recreation commission.

The means of assuring that such personnel are available on an extended basis is through the establishment of on-site state-owned or leased living facilities. The legislature also recognizes the restrictions and hardship placed upon those personnel who are required to reside in such state-owned or leased living facilities in order to provide extended personnel services.

The legislature further recognizes that there are instances where it is to the benefit of the state to have state-owned or leased living facilities occupied even though such occupancy is not required by the agency as a condition of employment.

**NEW SECTION.** Sec. 2. (1) Whenever an agency requires that an employee reside in state-owned or leased living facilities as a condition of employment, such living facilities shall be made available to the employee under the conditions set forth in sections 3 and 4 of this act.

(2) Whenever an agency determines that (a) a living facility owned or leased by the agency is not occupied by employees under subsection (1) of this section and (b) it would be to the agency's benefit to have the facility occupied, the agency may make the facility available for occupancy to other employees of the agency or employees of other public agencies.

(3) Whenever an agency determines that (a) a living facility owned or leased by the agency is not occupied by employees under subsection (1) of this section and (b) the facility has been made available to employees under subsection (2) of this section and that no such employees have opted to reside in the facility, the agency may make the facility available for occupancy to other interested parties.

**NEW SECTION.** Sec. 3. (1) No rent may be charged to persons living in facilities provided under section 2 (1) and (2) of this act. Such employees shall pay the costs of utilities associated with the living facility.

(2) Rent and utility charges to residents of living facilities under section 2(3) of this act shall be established by the agency responsible for managing the living facility.

(3) Utility charges required by this section shall be based upon (a) the actual measured utility costs for the specific facility or (b) calculated utility costs based upon average actual costs for all living facilities available under section 2 of this act or (c) the guidelines established by the state personnel board which were in effect on July 1, 1984, whichever is less. Utility costs may be adjusted on a yearly basis. Individuals residing in living facilities available under section 2 of this act shall pay all utility costs attributable to the personal enhancements of the individual.

(4) Any person occupying state-owned or leased living facilities shall do so with the understanding that he or she assumes custodial housekeeping responsibility as directed by the agency. Such responsibility shall not include maintenance, repairs, or improvements to the facilities. An occupant of a state-owned or leased facility is liable for damages to the facility in excess of normal wear and tear.

NEW SECTION. Sec. 4. The state shall maintain living facilities occupied under section 2 of this act in a safe, healthful condition.

NEW SECTION. Sec. 5. Sections 1 through 4 of this act shall constitute a new chapter in Title 43 RCW.

NEW SECTION. Sec. 6. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

Signed by Representatives Belcher, Chair; Peery, Vice Chair; Baugher, Hankins, O'Brien, Todd and Walk.

MINORITY recommendation: Do not pass. Signed by Representatives Sanders and van Dyke.

Voting nay: Representatives Fuhrman, Sanders and van Dyke.

Absent: Representatives Brooks, Taylor and Vekich.

Passed to Committee on Rules for second reading.

March 27, 1985

ESSB 3228 Prime Sponsor, Committee on Human Services & Corrections: Changing language in the natural death act. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 2, chapter 112, Laws of 1979 and RCW 70.122.010 are each amended to read as follows:

The legislature finds that adult persons have the fundamental right to control the decisions relating to the rendering of their own (~~(medical)~~) health care, including the decision to have life-sustaining (~~(procedures)~~) treatment withheld or withdrawn in instances of a terminal condition.

The legislature further finds that modern medical technology has made possible the artificial prolongation of human life beyond natural limits.

The legislature further finds that, in the interest of protecting individual autonomy, such (~~(prolongation of life)~~) postponement of the moment of death for persons with a terminal condition may cause loss of patient dignity, and unnecessary pain and suffering, while providing nothing medically necessary or beneficial to the patient.

The legislature further finds that there exists considerable uncertainty in the medical and legal professions as to the legality of terminating the use or application of life-sustaining (~~(procedures)~~) treatment where the patient has voluntarily and in sound mind evidenced a desire that such (~~(procedures)~~) treatment be withheld or withdrawn.

In recognition of the dignity and privacy which patients have a right to expect, the legislature hereby declares that the laws of the state of Washington shall recognize the right of an adult person to make a written directive instructing such person's physician to withhold or withdraw life-sustaining (~~(procedures)~~) treatment in the event of a terminal condition.

The legislature further recognizes that a person in a terminal condition may not have executed such a written directive and that therefore there is a need to establish a means of authorizing the withholding or withdrawing of life-sustaining treatment in the absence of a written directive.

The legislature further recognizes that in the absence of controversy, the court is normally not the proper forum in which to make decisions regarding life-sustaining treatment.

To avoid needless suffering and loss of dignity and to avoid treatment that is not desired by a person in a terminal condition, the legislature declares this chapter to be in the interest of the public health and welfare.

Sec. 2. Section 3, chapter 112, Laws of 1979 and RCW 70.122.020 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions contained in this section shall apply throughout this chapter.

(1) 'Attending physician' means the physician selected by, or assigned to, the patient who has primary responsibility for the treatment and care of the patient.

(2) 'Directive' means a written document voluntarily executed by the declarer in accordance with the requirements of RCW 70.122.030.

(3) 'Health facility' means a hospital as defined in RCW (~~(70.36.020(7))~~ or) 70.41.020(2), a nursing home as defined in RCW (~~(70.36.020(6))~~) 18.51.010, or a home health agency or hospice agency as defined in RCW 70.126.010.

(4) 'Life-sustaining (~~(procedure)~~) treatment' means any medical or surgical (~~(procedure or intervention which utilizes mechanical or other)~~) care that uses artificial means to sustain, restore, or (~~(supplant)~~) replace a vital function, which, when applied to a qualified patient,

would serve only to ~~((artificially prolong))~~ postpone the moment of death ~~((and where, in the judgment of the attending physician, death is imminent whether or not such procedures are utilized))~~. 'Life-sustaining ~~((procedure))~~ treatment' shall not include the administration of medication or the performance of any medical ~~((procedure))~~ or surgical care deemed necessary solely to alleviate pain.

(5) 'Physician' means a person licensed under chapters 18.71 or 18.57 RCW.

(6) 'Qualified patient' means a patient diagnosed and certified in writing to be afflicted with a terminal condition by ~~((two))~~ three physicians one of whom shall be the attending physician, who have personally examined the patient.

(7) 'Terminal condition' means ~~((an incurable))~~;

~~((a) A condition caused by injury, disease, or illness, ((which, regardless of the application of life-sustaining procedures, would)) that, within reasonable medical judgment, ((produce)) is incurable and will cause death, and where the application of life-sustaining ((procedures)) treatment serves only to postpone the moment of death ((of the patient)); or~~

~~((b) A condition in which the patient is medically assessed as having no reasonable probability of recovery from a comatose or persistent vegetative state.~~

(8) 'Adult person' means a person ~~((attaining))~~ who has attained the age of majority as defined in RCW 26.28.010 and 26.28.015.

Sec. 3. Section 4, chapter 112, Laws of 1979 and RCW 70.122.030 are each amended to read as follows:

(1) Any adult person may execute a directive directing the withholding or withdrawal of life-sustaining ~~((procedures))~~ treatment in a terminal condition. The directive shall be signed by the declarer in the presence of two witnesses not related to the declarer by blood or marriage and who would not be entitled to any portion of the estate of the declarer upon declarer's decease under any will of the declarer or codicil thereto then existing or, at the time of the directive, by operation of law then existing. In addition, a witness to a directive shall not be the attending physician, an employee of the attending physician or a health facility in which the declarer is a patient, or any person who has a claim against any portion of the estate of the declarer upon declarer's decease at the time of the execution of the directive. The directive, or a copy thereof, shall be made part of the patient's medical records retained by the attending physician, a copy of which shall be forwarded to the health facility upon ~~((the withdrawal of life-sustaining procedures))~~ admission. The directive shall be essentially in the following form, but in addition may include other specific directions:

#### DIRECTIVE TO PHYSICIANS

Directive made this \_\_\_\_\_ day of \_\_\_\_\_ (month, year).

I \_\_\_\_\_, being of sound mind, wilfully, and voluntarily make known my desire that my life shall not be artificially prolonged under the circumstances set forth below, and do hereby declare that:

(a) If at any time I should have an incurable injury, disease, or illness certified to be a terminal condition by ~~((two))~~ three physicians, and where the application of life-sustaining ~~((procedures))~~ treatment would serve only to artificially ~~((prolong))~~ postpone the moment of my death ~~((and where my physician determines that my death is imminent whether or not life-sustaining procedures are utilized))~~, I direct that such ~~((procedures))~~ treatment be withheld or withdrawn, and that I be permitted to die naturally.

(b) In the absence of my ability to give directions regarding the use of such life-sustaining ~~((procedures))~~ treatment, it is my intention that this directive shall be honored by my family and physician(s) as the final expression of my legal right to refuse medical or surgical ~~((treatment))~~ care and I accept the consequences ~~((from))~~ of such refusal.

(c) If I have been diagnosed as pregnant and that diagnosis is known to my physician, this directive shall have no force or effect during the course of my pregnancy.

(d) I understand the full import of this directive and I am emotionally and mentally competent to make this directive.

Signed \_\_\_\_\_

City, County, and State of Residence

The declarer has been personally known to me and I believe him or her to be of sound mind.

Witness \_\_\_\_\_

Witness \_\_\_\_\_

(2) Prior to effectuating a directive the diagnosis of a terminal condition by ~~((two))~~ three physicians shall be verified in writing, attached to the directive, and made a permanent part of the patient's medical records.

NEW SECTION. Sec. 4. A new section is added to chapter 70.122 RCW to read as follows:

(1) Life-sustaining treatment as defined in RCW 70.122.020 that would otherwise be applied to a qualified patient may be withheld or withdrawn according to subsections (2), (3), and (4) of this section if:

(a) The qualified patient is incapable of expressing his or her wishes as to the withholding or withdrawal of life-sustaining treatment;

(b) It is determined by the attending physician that the qualified patient has a terminal condition as defined in RCW 70.122.020(7); and



(c) There is certification in writing of such qualified patient's terminal condition by at least two additional physicians with relevant qualifications, consulting specifically to assess the terminal condition after having personally examined the patient.

(2) If a qualified patient's condition has been determined to meet the conditions set forth in subsection (1) of this section and no directive has been executed according to RCW 70.122.030, life-sustaining treatment may be withheld or withdrawn upon the direction and under the supervision of the attending physician after the physician has obtained authorization from a member of one of the following classes of persons in the following order of priority:

(a) The appointed guardian of the qualified patient, if any;

(b) The individual, if any, to whom the qualified patient has given a durable power of attorney that encompasses the authority to make health care decisions pursuant to section 12 of this act;

(c) The qualified patient's spouse;

(d) Children of the qualified patient who are at least eighteen years of age;

(e) Parents of the qualified patient;

(f) Adult brother(s) and sister(s) of the qualified patient.

If the physician seeking authority to withhold or withdraw life-sustaining treatment from a qualified patient makes reasonable efforts to locate and secure authorization from a competent person in the first or succeeding class and finds no such person available, authorization may be given by any person in the next class in the order of descending priority. However, no person under this section shall have the power to authorize the withholding or withdrawal of life-sustaining treatment from a qualified patient, (i) if a person of higher priority under this section has refused to give such authorization, or (ii) if there are two or more individuals in the same class and the decision is not unanimous among all available members of that class.

(3) Before any person described in subsection (2) of this section authorizes the physician to withhold or withdraw life-sustaining treatment from a qualified patient, he or she must first determine in good faith that the qualified patient, if competent, would choose to forgo life-sustaining treatment. If such a determination cannot be made, the decision to authorize the physician to withhold or withdraw life-sustaining treatment may be made only after determining that forgoing life-sustaining treatment is in the qualified patient's best interests.

(4) If none of the persons described in subsection (2) of this section are available, then life-sustaining treatment may be withheld or withdrawn from a qualified patient upon the direction and under the supervision of the attending physician only after the attending physician determines in good faith that the conditions set forth in subsections (1) and (3) of this section have been met.

Sec. 5. Section 6, chapter 112, Laws of 1979 and RCW 70.122.050 are each amended to read as follows:

No physician or health facility (~~which~~) ~~that~~, acting in good faith in accordance with the requirements of this chapter, (~~causes the withholding or withdrawal of~~) ~~withholds or withdraws~~ life-sustaining (~~procedures~~) ~~treatment~~ from a qualified patient, shall be subject to civil liability therefrom. No (~~licensed~~) health personnel, acting under the direction of a physician, who participates in good faith in the withholding or withdrawal of life-sustaining (~~procedures~~) ~~treatment~~ in accordance with the provisions of this chapter shall be subject to any civil liability. No physician, or health facility or its agents, or (~~licensed~~) health personnel acting under the direction of a physician, who participates in good faith in the withholding or withdrawal of life-sustaining (~~procedures~~) ~~treatment~~ in accordance with the provisions of this chapter shall be guilty of any criminal act or of unprofessional conduct.

Sec. 6. Section 7, chapter 112, Laws of 1979 and RCW 70.122.060 are each amended to read as follows:

(1) Prior to (~~effectuating a~~) the withholding or withdrawal of life-sustaining (~~procedures~~) ~~treatment~~ from a qualified patient pursuant to the directive, the attending physician shall make a reasonable effort to determine that the directive complies with RCW 70.122.030 and, if the patient is mentally competent, that the directive and all steps proposed by the attending physician is to be undertaken are currently in accord with the desires of the qualified patient.

(2) The directive shall be conclusively presumed, unless revoked, to be the directions of the patient regarding the withholding or withdrawal of life-sustaining (~~procedures~~) ~~treatment~~. No physician, and no (~~licensed~~) health personnel acting in good faith under the direction of a physician, shall be criminally or civilly liable for failing to effectuate the directive of the qualified patient pursuant to this subsection. If the physician refuses to effectuate the directive, such physician shall make a good faith effort to transfer the qualified patient to another physician who will effectuate the directive of the qualified patient.

Sec. 7. Section 8, chapter 112, Laws of 1979 and RCW 70.122.070 are each amended to read as follows:

(1) The withholding or withdrawal of life-sustaining (~~procedures~~) ~~treatment~~ from a qualified patient pursuant to the patient's directive in accordance with the provisions of this chapter shall not, for any purpose, constitute a suicide.

(2) The making of a directive pursuant to RCW 70.122.030 shall not restrict, inhibit, or impair in any manner the sale, procurement, or issuance of any policy of life insurance, nor shall it be

deemed to modify the terms of an existing policy of life insurance. No policy of life insurance shall be legally impaired or invalidated in any manner by the withholding or withdrawal of life-sustaining ((procedures)) treatment from an insured qualified patient, notwithstanding any term of the policy to the contrary.

(3) No physician, health facility, or other health provider, and no health care service plan, insurer issuing disability insurance, self-insured employee welfare benefit plan, or nonprofit hospital service plan, shall require any person to execute a directive as a condition for being insured for, or receiving, health care services.

Sec. 8. Section 10, chapter 112, Laws of 1979 and RCW 70.122.080 are each amended to read as follows:

The act of withholding or withdrawing life-sustaining ((procedures)) treatment from a qualified patient, when done pursuant to a directive described in RCW 70.122.030 ((and which causes the death of the declarer)) or the procedures authorized in this chapter, shall not be construed to be an intervening force or to affect the chain of proximate cause between the conduct of ((any person)) anyone that placed the declarer in a terminal condition and the death of the declarer.

Sec. 9. Section 9, chapter 112, Laws of 1979 and RCW 70.122.090 are each amended to read as follows:

Any person who wilfully conceals, cancels, defaces, obliterates, or damages the directive of another without such declarer's consent shall be guilty of a gross misdemeanor. Any person who falsifies or forges the directive of another, or wilfully conceals or withholds personal knowledge of a revocation as provided in RCW 70.122.040 with the intent to cause a withholding or withdrawal of life-sustaining ((procedures)) treatment contrary to the wishes of the declarer, and thereby, because of any such act, directly causes life-sustaining ((procedures)) treatment to be withheld or withdrawn and death to thereby be hastened, shall be subject to prosecution for murder in the first degree as defined in RCW 9A.32.030.

NEW SECTION, Sec. 10. A new section is added to chapter 70.122 RCW to read as follows:

This chapter shall not be construed as providing the exclusive means by which individuals, their legal representatives or next of kin as identified in section 4(2) of this act, may make decisions regarding their health treatment.

NEW SECTION, Sec. 11. A new section is added to chapter 70.122 RCW to read as follows:

This chapter shall not be construed as requiring a physician, registered nurse, or licensed practical nurse to provide futile care in an emergency situation.

NEW SECTION, Sec. 12. A new section is added to chapter 11.94 RCW to read as follows:

(1) A principal may empower his or her attorney-in-fact to make health care decisions on the principal's behalf, without limiting the powers otherwise granted by this durable power of attorney, by inclusion of the following words, or of other language showing a similar intent: "This durable power of attorney includes but is not limited to authorization: (a) To consent to medical and surgical care and nontreatment; (b) to consent to the withholding or withdrawal of life-sustaining treatment; (c) to consent to the admission to a medical, nursing, residential, or a similar facility; and (d) to enter into agreements for my care."

(2) The authorization in subsection (1) of this section to consent to the withholding or withdrawal of life-sustaining treatment may be exercised only following the unanimous concurrence of the principal's attending physician and no fewer than two other physicians, after having personally examined the principal, that the principal has a terminal condition as defined in RCW 70.122.020(7).

(3) The authorization given the attorney-in-fact under this section shall not include the following:

- (a) Therapy or other procedure given for the purpose of inducing convulsion;
- (b) Surgery solely for the purpose of psychosurgery;
- (c) Commitment to or placement in a mental health treatment facility, except pursuant to the provisions of chapter 71.05 RCW;
- (d) Sterilization.

NEW SECTION, Sec. 13. A new section is added to chapter 11.94 RCW to read as follows:

Nothing in this chapter shall be construed to condone, authorize, or approve mercy killing, or to permit any affirmative or deliberate act or omission to end life other than the withholding or withdrawal of life-sustaining treatment pursuant to a durable power of attorney for health care so as to permit the natural process of dying.

NEW SECTION, Sec. 14. A new section is added to chapter 11.94 RCW to read as follows:

The durable power of attorney provided for under this chapter shall continue in effect until revoked or terminated by the principal, by a court-appointed guardian, or by court order.

NEW SECTION, Sec. 15. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

Signed by Representatives Brekke, Chair; Day, Vice Chair; Armstrong, Braddock, Brooks, Dellwo, Leonard, Lewis, Lux, Scott, Tanner and Winsley.

MINORITY recommendation: Do not pass. Signed by Representatives Dobbs and Padden.

Absent: Representatives Ballard, West and S. Wilson.

Passed to Committee on Rules for second reading.

March 28, 1985

ESSB 3235 Prime Sponsor, Committee on Education: Providing programs for educational excellence. Reported by Committee on Education

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

\*NEW SECTION. Sec. 1. A new section is added to chapter 28A.67 RCW to read as follows:

(1) The superintendent of public instruction is hereby authorized to grant funds for selected school improvement and research projects, including improvements in curriculum, instruction, and classroom management developed by teachers.

(2) The superintendent shall appoint an advisory committee on research and development composed of certificated and noncertificated staff, administrators, curriculum specialists, parents, school directors, postsecondary educators, business persons, and others as the superintendent finds necessary. The committee shall propose criteria to the superintendent to evaluate proposed school improvement and research projects proposed by educational employees. The criteria approved by the superintendent shall: (a) Assure to the extent possible that projects will be chosen which represent the various geographical locations, school or district sizes, and grade levels existent in the state; (b) provide for evaluation of each project upon completion; and (c) include such other requirements as the superintendent finds necessary. The committee shall recommend to the superintendent of public instruction the awarding of grants to fund those proposals showing the most potential for developing knowledge which will be helpful to local districts in their efforts to enhance educational equity and excellence. Projects may involve the collaboration of personnel from higher education institutions and kindergarten through grade twelve educators.

(3) The superintendent of public instruction shall award grants to selected project participants in such amounts as determined by the superintendent of public instruction, who shall take into consideration grant amounts as recommended by the advisory committee on research and development under subsection (2) of this section. The sum of all grants awarded per year shall not exceed that amount appropriated by the legislature for such purposes. Grants may be awarded to individual teachers or teams of teachers including teacher's aides and volunteers.

(4) The superintendent of public instruction shall maintain a clearinghouse of information on these research projects for the use of local districts.

NEW SECTION. Sec. 2. A new section is added to chapter 28A.58 RCW to read as follows:

Each school district board of directors shall develop a schedule and process by which each public school within its jurisdiction shall undertake self-study procedures on a regular basis: PROVIDED, That districts may allow two or more elementary school buildings in the district to undertake jointly the self-study process. Each school may follow the accreditation process developed by the state board of education under RCW 28A.04.120(4), although no school is required to file for actual accreditation, or the school may follow a self-study process developed locally. Whatever process is used must focus upon the quality and appropriateness of the school's educational program and the results of its operational efforts.

Any self-study process must include the participation of staff, parents, members of the community, and students, where appropriate to their age.

Emphasis throughout the process shall be placed upon:

(1) Achieving educational excellence and equity;

(2) Building stronger links with the community; and

(3) Reaching consensus upon educational expectations through community involvement and corresponding school management.

The initial self-study process within each district shall begin by September 1, 1986, and should be completed for all schools within a district by the end of the 1990-91 school year.

The state board of education shall develop rules and regulations governing procedural criteria. Such rules and regulations should be flexible so as to accommodate local goals and circumstances. Rules and regulations may allow for waiver of the self-study for economic reasons and may also allow for waiver of the initial self-study if a district or its schools have participated successfully in an official accreditation process or in a similar assessment of educational programs within the last three years. The self-study process shall be conducted on a cyclical basis every seven years following the initial 1990-91 period.

The superintendent of public instruction shall provide training to assist districts in their self-studies.

Each district shall annually report to the superintendent of public instruction on the scheduling and implementation of their self-study activities.

NEW SECTION. Sec. 3. A new section is added to chapter 28A.03 RCW to read as follows:

The superintendent of public instruction is hereby authorized to grant funds to local school districts that apply for funding on a grant proposal or other basis to establish pilot projects in building-based management or district-wide building-based management: PROVIDED, That in at least one project every building in a district shall use building-based management.

The superintendent of public instruction shall develop rules pursuant to chapter 34.04 RCW, in consultation with school districts, for building-based management and district-wide management pilot projects.

The superintendent of public instruction shall submit a report to the legislature not later than January 1, 1988, on the results of the pilot projects and any recommendations.

This section shall expire January 1, 1988.

Sec. 4. Section 14, chapter 244, Laws of 1969 ex. sess. as last amended by section 1, chapter 229, Laws of 1983 and RCW 28A.41.140 are each amended to read as follows:

The basic education allocation for each annual average full time equivalent student shall be determined in accordance with the following procedures:

The governor shall and the superintendent of public instruction may recommend to the legislature a formula based on a ratio of students to staff for the distribution of a basic education allocation for each annual average full time equivalent student enrolled in a common school. The distribution formula shall have the primary objective of equalizing educational opportunities and shall provide appropriate recognition of the following costs among the various districts within the state:

(1) Certificated staff and their related costs;

(2) Classified staff and their related costs;

(3) Nonsalary costs;

(4) Extraordinary costs of remote and necessary schools and small high schools; and

(5) The attendance of students pursuant to RCW 28A.58.075 and 28A.58.245, each as now or hereafter amended, who do not reside within the servicing school district.

This formula for distribution of basic education funds shall be reviewed biennially by the superintendent and governor. The recommended formula shall be subject to approval, amendment or rejection by the legislature. Commencing with the 1980-81 school year, the formula adopted by the legislature shall reflect a ratio of not less than fifty certificated personnel to one thousand annual average full time equivalent students and one classified person to three certificated personnel. In the event the legislature rejects the distribution formula recommended by the governor, without adopting a new distribution formula, the distribution formula for the previous school year shall remain in effect: PROVIDED, That the distribution formula developed pursuant to this section shall be for state apportionment and equalization purposes only and shall not be construed as mandating specific operational functions of local school districts other than those program requirements identified in RCW 28A.58.754. The enrollment of any district shall be the annual average number of full time equivalent students and part time students as provided in RCW 28A.41.145, as now or hereafter amended, enrolled on the first school day of each month. The definition of full time equivalent student shall be determined by rules and regulations of the superintendent of public instruction: PROVIDED, That the definition shall be included as part of the superintendent's biennial budget request: PROVIDED, FURTHER, That any revision of the present definition shall not take effect until approved by the house appropriations committee and the senate ways and means committee: PROVIDED, FURTHER, That the office of financial management shall make a monthly review of the superintendent's reported full time equivalent students in the common schools in conjunction with RCW 43.62.050.

Certificated staff shall include those persons employed by a school district in a teaching, instructional, educational staff associate, learning resources specialist, administrative or supervisory capacity and who hold positions as certificated employees as defined under RCW 28A.01.130, as now or hereafter amended, and every school district superintendent, and any person hired in any manner to fill a position designated as, or which is in fact, that of deputy superintendent or assistant superintendent: PROVIDED, That in exceptional cases, people of unusual competence but without certification may teach students so long as a certificated person exercises general supervision: PROVIDED, FURTHER, That the hiring of such noncertificated people shall not occur during a labor dispute and such noncertificated people shall not be hired to replace certificated employees during a labor dispute. Each annual average full time equivalent certificated classroom teacher's direct classroom contact hours shall average at least twenty-five hours per week. Direct classroom contact hours shall be exclusive of time required to be spent for preparation, conferences, or any other nonclassroom instruction duties. Up to two hundred minutes per week may be deducted from the twenty-five contact hour requirement, at the discretion of the school district board of directors, to accommodate authorized teacher/parent-guardian conferences, recess, passing time between classes, and informal instructional activity. Implementing rules to be adopted by the state board of education pursuant to RCW 28A.58.754(6) shall provide that compliance with the direct contact hour requirement shall be based upon teachers' normally assigned weekly instructional schedules, as assigned by the district administration. Additional record-keeping by classroom teachers as a means of accounting for contact hours shall not be required. However, upon request from the

board of directors of any school district, the provisions relating to direct classroom contact hours for individual teachers in that district may be waived by the state board of education if the waiver is necessary to implement a locally approved plan for educational excellence and the waiver is limited to those individual teachers approved in the local plan for educational excellence. The state board of education shall develop criteria to evaluate the need for the waiver. Granting of the waiver shall depend upon verification that: (a) The students' classroom instructional time will not be reduced; and (b) the teacher's expertise is critical to the success of the local plan for excellence.

NEW SECTION. Sec. 5. A new section is added to chapter 28A.04 RCW to read as follows:

The state board of education may grant waivers to school districts from the provisions of RCW 28A.58.750 through 28A.58.754 on the basis that such waiver or waivers are necessary to implement successfully a local plan to provide for all students in the district an effective education system that is designed to enhance the educational program for each student. The local plan may include alternative ways to provide effective educational programs for students who experience difficulty with the regular education program.

The state board shall adopt criteria to evaluate the need for the waiver or waivers.

NEW SECTION. Sec. 6. A new section is added to chapter 28A.58 RCW to read as follows:

School boards may by separate contract with certificated instructional and classified staff provide supplemental compensation for additional days or additional duties as set forth in the bargaining agreement or agreements as negotiated between the district and the respective bargaining representatives, if the district does not incur obligations for the supplements beyond the current school year and if such supplements do not cause the state to incur any present or future funding obligations. Additional days for certificated instructional staff shall be those days beyond the one hundred and eighty day school year, and for classified staff those days beyond their respective work year. Such separate contracts shall be subject to the collective bargaining provisions of chapter RCW 41.59 and RCW 41.56. Such supplemental compensation shall not be deemed an increase in salary or compensation for purposes of RCW 28A.58.095. Separate contracts shall be subject to the provision of RCW 28A.67.074, shall not exceed one year, and if not renewed shall not constitute adverse change in accordance with RCW 28A.58.450 through RCW 28A.58.515.

NEW SECTION. Sec. 7. The legislature recognizes the important role played by education in the future well-being of the citizens of the state of Washington. The legislature further recognizes the vital and integral part teachers have in the education process. It is therefore the intent of the legislature to improve the quality of teaching in this state by establishing criteria for certification and endorsements to assure that the teachers of our children are well qualified upon entering the profession and continue to maintain and increase their competency.

NEW SECTION. Sec. 8. A new section is added to chapter 28A.70 RCW to read as follows:

The state board of education shall adopt rules for approved professional preparation programs and professional certification requirements that include but are not limited to the following:

(1) Entrance requirements to professional education programs that include but are not limited to a minimum score on the Washington pre-college test, or an equivalent test, or a college grade point average requirement;

(2) After July 1, 1987, a person shall not be eligible for certification until the person has successfully completed two full academic quarters or the equivalent of internship experience under the direction of a supervisory teacher and administrator in a teacher preparation program in a local school district; and

(3) Completion of a degree major in an academic field.

NEW SECTION. Sec. 9. A new section is added to chapter 28A.70 RCW to read as follows:

(1) After June 30, 1985, the superintendent of public instruction shall develop or select a prototype Washington state professional certification examination for the approval and adoption by the state board of education no later than January, 1987. The examination shall measure professional teaching and pedagogical knowledge. The examination shall be administered to persons seeking initial certification after June 30, 1989, and passage of the examination shall be a condition for receipt of an initial professional certificate.

(2) The state board of education shall study subject area examinations and the use of subject area examinations as a condition for initial certification before the state board of education may require these examinations as a condition for initial certification.

(3) The board shall consult with state education associations and such other groups as the board may deem appropriate in the development of the examination program under this section.

(4) The board shall report on its activities and actions to the education committees of the house of representatives and the senate no later than December, 1986.

Sec. 10. Section 28A.04.120, chapter 223, Laws of 1969 ex. sess. as last amended by section 2, chapter 40, Laws of 1984 and RCW 28A.04.120 are each amended to read as follows:

In addition to any other powers and duties as provided by law, the state board of education shall:

(1) Approve the program of courses leading to teacher, school administrator, and school specialized personnel certification offered by all institutions of higher education within the state which may be accredited and whose graduates may become entitled to receive such certification.

(2) Investigate the character of the work required to be performed as a condition of entrance to and graduation from any institution of higher education in this state relative to such certification as provided for in subsection (1) above, and prepare a list of accredited institutions of higher education of this and other states whose graduates may be awarded such certificates.

(3) Develop, establish, and maintain a professional certification examination program as a condition for initial certification.

(4) Supervise the issuance of such certificates as provided for in subsection (1) above and specify the types and kinds of certificates necessary for the several departments of the common schools by rule or regulation in accordance with RCW 28A.70.005.

((4)) (5) Accredite, subject to such accreditation standards and procedures as may be established by the state board of education, all schools that apply for accreditation, and approve, subject to the provisions of RCW 28A.02.201, private schools carrying out a program for any or all of the grades one through twelve: PROVIDED, That no public or private schools shall be placed upon the list of accredited schools so long as secret societies are knowingly allowed to exist among its students by school officials: PROVIDED FURTHER, That the state board may elect to require all or certain classifications of the public schools to conduct and participate in such pre-accreditation examination and evaluation processes as may now or hereafter be established by the board.

((5)) (6) Make rules and regulations governing the establishment in any existing nonhigh school district of any secondary program or any new grades in grades nine through twelve. Before any such program or any new grades are established the district must obtain prior approval of the state board.

((6)) (7) Prepare such outline of study for the common schools as the board shall deem necessary, and prescribe such rules for the general government of the common schools, as shall seek to secure regularity of attendance, prevent truancy, secure efficiency, and promote the true interest of the common schools.

((7)) (8) Prepare with the assistance of the superintendent of public instruction a uniform series of questions, with the proper answers thereto for use in the correcting thereof, to be used in the examination of persons, as this code may direct, and prescribe rules and regulations for conducting any such examinations.

((8)) (9) Continuously reevaluate courses and adopt and enforce regulations within the common schools so as to meet the educational needs of students and articulate with the institutions of higher education and unify the work of the public school system.

((9)) (10) Carry out board powers and duties relating to the organization and reorganization of school districts under chapter 28A.57 RCW.

((10)) (11) By rule or regulation promulgated upon the advice of the state fire marshal, provide for instruction of pupils in the public and private schools carrying out a K through 12 program, or any part thereof, so that in case of sudden emergency they shall be able to leave their particular school building in the shortest possible time or take such other steps as the particular emergency demands, and without confusion or panic; such rules and regulations shall be published and distributed to certificated personnel throughout the state whose duties shall include a familiarization therewith as well as the means of implementation thereof at their particular school.

((11)) (12) Hear and decide appeals as otherwise provided by law.

Sec. 11. Section 28A.70.005, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 92, Laws of 1975-'76 2nd ex. sess. and RCW 28A.70.005 are each amended to read as follows:

The state board of education shall establish, publish and enforce rules and regulations determining eligibility for and certification of personnel employed in the common schools of this state, including professional examination requirements for all applicants for initial certification and certification for emergency or temporary, substitute or provisional duty and under such certificates or permits as the board shall deem proper or as otherwise prescribed by law. The superintendent of public instruction shall act as the administrator of any such rules and regulations and have the power to issue any certificates or permits and revoke the same in accordance with board rules and regulations.

NEW SECTION. Sec. 12. A new section is added to chapter 28A.70 RCW to read as follows:

Professional certificate means one of the several certificates issued by the state board of education authorizing the holder to work with children, youth, and adults in a school setting subject to fulfilling requirements established by the state board of education. Types of certificates include but are not limited to:

(1) The initial certificate which is a certificate authorizing school service in a particular role and allows the holder to assume independent responsibility for working with children, youth, and adults based on having fulfilled requirements established by the state board of education.

(2) The continuing certificate which is a certificate valid on a continuing basis and authorizes school service in a particular role based on completion of additional academic, experience, and competency requirements established by the state board of education beyond the initial certificate.

(3) An endorsement which is a notation on a professional certificate indicating an area of subject matter or a field of specialization based on completion of requirements established by the state board of education.

**NEW SECTION, Sec. 13.** A new section is added to chapter 28A.70 RCW to read as follows:

(1) The state board of education shall study the feasibility of requiring holders of continuing certificates to obtain endorsements. The state board of education, with the assistance of the office of the superintendent of public instruction, as well as that of the local school districts, the educational service districts, and the colleges and universities, shall review the criteria for obtaining endorsements in at least the following subjects: English, mathematics, science, and social studies, with the aim of modifying the criteria to account for and incorporate the following:

(a) Successful experience teaching in a field other than those in which endorsed, as evidenced by evaluations, student progress, documented private or self-directed learning, and other relevant factors;

(b) Credit for work done through in-service training or in settings other than those approved for a regular endorsement;

(c) Expanded use of cooperative and innovative ways of earning endorsements, including but not limited to courses offered through educational service districts, community colleges, and those making use of communications technologies; and

(d) Use of the subject area tests selected as part of the teacher competency test under section 9 of this act or other validated subject area tests to confirm a teacher's minimal competency in endorsed areas for the addition of new endorsements and the renewal of existing ones.

(2) By January, 1988, the state board of education shall complete the review and development or selection of criteria for an endorsement being obtained for both initial and continuing certification and shall report its results to the legislature.

**NEW SECTION, Sec. 14.** The state board of education shall report to the legislature in January, 1988, on its progress and recommendations in the following areas:

(1) The implementation and the impact of applying professional certification requirements including use of the Washington precollege test or college grade point average and the need for waiver of these requirements;

(2) The development or selection and establishment of a state professional certification examination; and

(3) Assessment of the feasibility, criteria, and plan for issuance of endorsements in at least the subject areas of English, science, mathematics, and social studies to holders of continuing certificates.

**NEW SECTION, Sec. 15.** The superintendent of public instruction shall design and conduct a pilot program in ten half-day kindergarten classes and ten first grade classes to assess the impact of using instructional assistants to aid certificated personnel in the instruction in these grades and thereby reduce the student to adult ratio as follows:

(1) The pilot program shall commence in the 1985-86 school year and terminate at the end of the 1986-87 school year.

(2) The pilot program shall consist of ten half-day kindergarten classes and ten first grade classes with an actual class size of not less than twenty students to one classroom teacher which are assigned an instructional assistant for the duration of the pilot program. These classes shall be identified as benefit classrooms.

(3) The superintendent of public instruction shall report to the house education committee and senate education committee on the cost of the pilot program, achievements of students on pretests and post tests, and projected costs of the state-wide application of the student to adult ratio used in the pilot program.

This section shall expire June 30, 1987.

**NEW SECTION, Sec. 16.** Implementation of sections 1, 2, 3, and 9 of this act are each subject to funds being appropriated during the 1985-87 biennium for such purpose or purposes.

**NEW SECTION, Sec. 17.** 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. 18.** Section 3 of 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 30, 1985."

On page 1, line 1 of the title, after "excellence;" strike the remainder of the title and insert "amending RCW 28A.41.140, 28A.04.120, and 28A.70.005; adding a new section to chapter 28A.03 RCW; adding a new section to chapter 28A.04 RCW; adding new sections to chapter 28A.58 RCW; adding a new section to chapter 28A.67 RCW; adding new sections to chapter 28A.70 RCW; creating new sections; providing an effective date; and declaring an emergency."

Signed by Representatives Ebersole, Chair; Valle, Vice Chair; Appelwick, Holland, P. King, Peery, Rayburn, Rust, Todd and Wang.

MINORITY recommendation: Do not pass. Signed by Representatives Betrozoff, Cole, Long, Schoon, L. Smith and Walker.

Absent: Representatives Chandler, Fuhrman and Taylor.

Referred to Committee on Ways & Means.

March 29, 1985

SSB 3387 Prime Sponsor, Committee on Governmental Operations: Permitting installment payments for certain sewer connection costs. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Allen, Brough, Doty, Hine, Isaacson, May, Patrick, Rayburn, Smitherman, Winsley and Zellinsky.

Absent: Representatives Bristow, Ebersole, Hine and Smitherman.

Passed to Committee on Rules for second reading.

March 28, 1985

SSB 3439 Prime Sponsor, Committee on Education: Requiring a specified staff student ratio for vocational education programs. Reported by Committee on Education

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

**NEW SECTION.** Sec. 1. A new section is added to chapter 28A.41 RCW to read as follows:

Beginning with the 1986-87 school year, the formula adopted by the legislature pursuant to RCW 28A.41.140 shall include a ratio of one certificated person to seventeen and one-half annual average full time equivalent vocational students in grades nine through twelve enrolled in vocational education programs approved by the superintendent of public instruction: PROVIDED, That any increase in funds generated by the change in the ratio of certificated personnel to annual average full time equivalent vocational students shall be used by local school districts to provide additional support for the local vocational education program.

**NEW SECTION.** Sec. 2. Section 1 of this act shall take effect if funds are appropriated in the state operating appropriations act for the 1985-87 biennium for the purposes of section 1 of this act. If funds are not so appropriated for the purposes of section 1 of this act, section 1 of this act shall be null and void in its entirety."

On page 1, line 3 of the title, strike "new sections" and insert "a new section"

Signed by Representatives Ebersole, Chair; Valle, Vice Chair; Appelwick, Betrozoff, Cole, Holland, P. King, Long, Peery, Rayburn, Rust, Schoon, L. Smith, Todd, Walker and Wang.

Absent: Representatives Chandler, Fuhrman, P. King and Taylor.

Referred to Committee on Ways & Means.

March 28, 1985

SSB 3442 Prime Sponsor, Committee on Governmental Operations: Establishing a fire service training revolving fund. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Ebersole, Chair; Valle, Vice Chair; Appelwick, Betrozoff, Chandler, Cole, Fuhrman, Holland, P. King, Long, Peery, Rayburn, Rust, Schoon, L. Smith, Todd and Wang.

Absent: Representatives Taylor and Walker.

Referred to Committee on Ways & Means.

March 27, 1985

ESSB 3498 Prime Sponsor, Committee on Commerce & Labor: Regulating recreational water contact facilities. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:



**NEW SECTION.** Sec. 1. The legislature recognizes that recreational water contact activities are becoming increasingly popular. Recreational water contact facilities are expanding in number and in the variety of equipment and activities offered. The legislature, to protect the public health, safety, and welfare and promote the safe use of recreational water contact facilities finds it necessary to regulate these facilities.

**NEW SECTION.** Sec. 2. Unless the context clearly requires otherwise the definitions in this section apply throughout this chapter.

(1) 'Recreational water contact facility' means any artificial basin or other structure containing water, used or intended to be used for recreation or therapy, where body contact with the water occurs, or is intended to occur and any area designated for swimming in natural waters with artificial boundaries within the waters. The term includes, but is not limited to, swimming pools, water slides, hot tubs or spas, wading pools, spray pools, wave pools, and any other water park amusement facility designed for body contact with the water, together with auxiliary buildings and appurtenances, provided with or without charge, regardless of ownership or management.

The term does not include the following: (a) Water contact facilities at a single family residence for the sole use of the occupants and invited guests; (b) water contact facilities at medical or health care facilities operated only for patient use; (c) single-use hydrotherapy tubs; (d) boating and associated activities; (e) scuba activities in natural waters; (f) steam baths and saunas, and (g) fountains whose intended uses are primarily for visual and aesthetic purposes.

(2) 'Local health officer' means the health officer of the city, county, or city-county department or district or a representative authorized by the local health officer.

(3) 'Secretary' means the secretary of social and health services.

(4) 'Person' means an individual, firm, partnership, co-partnership, corporation, company, association, club, government entity, or organization of any kind.

(5) 'Department' means the department of social and health services.

(6) 'Board' means the state board of health.

**NEW SECTION.** Sec. 3. (1) The board shall adopt rules under the administrative procedures act, chapter 34.04 RCW, setting safety, sanitation, and water quality standards for recreational water contact facilities. The rules shall include but not be limited to requirements for design; operation; injury and illness reports; biological and chemical contamination standards; water quality monitoring; inspection; permit application and issuance; fees sufficient to cover the costs incurred by the department for the administration and enforcement of this chapter; and enforcement procedures.

(2) In adopting rules under subsection (1) of this section regarding the operation or design of a recreational water contact facility, the board shall review and consider any recommendations made by the advisory committee.

**NEW SECTION.** Sec. 4. (1) A recreational water contact facility advisory committee is established and shall be appointed by the board which shall consist of the following members:

(a) A representative of the board of health;

(b) A private operator of a recreational water contact facility;

(c) A public operator of a recreational water contact facility;

(d) A representative from the department of social and health services;

(e) A representative of the county health departments;

(f) A representative from those who engage in the construction or design of recreational water contact facilities; and

(g) A representative from those who engage in the manufacturing or design of goods or services for recreational water contact facilities.

(2) The advisory committee shall have the following powers and duties:

(a) To assist in reviewing and drafting proposed rules regarding the design or operation of any recreational water contact facility which recommendations shall be transmitted to the board;

(b) To provide technical assistance regarding the review of new products, equipment and procedures, and periodic program review; and

(c) To provide recommendations upon request in the settlement of grievances.

(3) The committee may appoint subcommittees as it deems necessary.

**NEW SECTION.** Sec. 5. The secretary shall enforce the rules adopted under this chapter. The secretary may develop joint plans of responsibility with any local health jurisdiction to carry out the administration of this chapter.

**NEW SECTION.** Sec. 6. (1) Local health officers may establish and collect fees sufficient to cover their costs incurred in carrying out their duties under this chapter and the rules adopted under this chapter.

(2) The department may establish and collect fees sufficient to cover its costs incurred in carrying out its duties under this chapter. The fees shall be deposited in the state general fund.

(3) A person shall not be required to submit fees at both the state and local levels.

**NEW SECTION.** Sec. 7. A permit is required for any modification to or construction of any recreational water contact facility after the effective date of this act. The plans and specifications for the modification or construction shall be submitted to the applicable local authority or

the department as applicable, but a person shall not be required to submit plans at both the state and local levels or apply for both a state and local permit. The plans shall be reviewed and may be approved, rejected, or modifications or conditions imposed consistent with this chapter as the public health or safety may require, and a permit shall be issued or denied.

**NEW SECTION.** Sec. 8. An operating permit from the department or local health officer, as applicable, is required for each recreational water contact facility operated in this state. The permit shall be renewed annually. The permit shall be conspicuously displayed at the recreational water contact facility.

**NEW SECTION.** Sec. 9. Nothing in this chapter or the rules adopted under this chapter creates or forms the basis for any liability: (1) On the part of the state and local health jurisdictions, or their officers, employees, or agents, for any injury or damage resulting from the failure of the owner or operator of recreational water contact facilities to comply with this chapter or the rules adopted under this chapter; or (2) by reason or in consequence of any act or omission in connection with the implementation or enforcement of this chapter or the rules adopted under this chapter on the part of the state and local health jurisdictions, or by their officers, employees, or agents.

All actions of local health officers and the secretary shall be deemed an exercise of the state's police power.

**NEW SECTION.** Sec. 10. Any person operating a recreational water contact facility shall report to the local health officer or the department any serious injury, illness, or death occurring at or caused by the recreational water contact facility.

**NEW SECTION.** Sec. 11. County, city, or town legislative authorities and the secretary, as applicable, may establish civil penalties for a violation of this chapter or the rules adopted under this chapter.

**NEW SECTION.** Sec. 12. (1) Any person aggrieved by an order or action of the department may request a hearing under the administrative procedures act, chapter 34.04 RCW.

(2) Any person aggrieved by an order or action of a local health officer may request a hearing which shall be held consistent with the local health jurisdiction's administrative appeals process.

**NEW SECTION.** Sec. 13. (1) Any person violating any provision of this chapter or the rules adopted under this chapter is guilty of a misdemeanor and subject to a fine of not more than five hundred dollars. Each day upon which a violation occurs constitutes a separate violation. A person violating this chapter may be enjoined from continuing the violation.

(2) Notice shall be provided by the department, if applicable, as required under chapter 34.04 RCW for contested cases. Notice shall be provided by the local health jurisdiction as applicable consistent with the due process requirements of the local health jurisdiction.

**NEW SECTION.** Sec. 14. (1) A recreational water contact facility, as defined in section 2 of this act, shall not be operated within the state unless the owner or operator has purchased insurance in an amount not less than five hundred thousand dollars against liability for bodily injury to or death of one or more persons in any one accident arising out of the use of the recreational water contact facility.

(2) The board may require a recreational water contact facility to purchase insurance in addition to the amount required in subsection (1) of this section.

**NEW SECTION.** Sec. 15. The following acts or parts of acts are each repealed:

(1) Section 1, chapter 57, Laws of 1957, section 115, chapter 141, Laws of 1979 and RCW 70.90.010;

(2) Section 2, chapter 57, Laws of 1957, section 116, chapter 141, Laws of 1979 and RCW 70.90.020;

(3) Section 3, chapter 57, Laws of 1957, section 117, chapter 141, Laws of 1979 and RCW 70.90.030;

(4) Section 4, chapter 57, Laws of 1957, section 118, chapter 141, Laws of 1979 and RCW 70.90.040; and

(5) Section 5, chapter 57, Laws of 1957 and RCW 70.90.900.

**NEW SECTION.** Sec. 16. Sections 1 through 14 of this act are added to chapter 70.90 RCW.

**NEW SECTION.** Sec. 17. 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. 18. Sections 1 through 13, and 15 of this act shall take effect on April 1, 1986.

**NEW SECTION.** Sec. 19. Section 14 of this act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

Signed by Representatives Brekke, Chair; Day, Vice Chair; Armstrong, Braddock; Brooks, Dellwo, Leonard, Scott, Tanner and Winsley.

Absent: Representatives Ballard, Dobbs, Lewis, Padden, West and S. Wilson.

Passed to Committee on Rules for second reading.

March 28, 1985

ESSB 3510

Prime Sponsor, Committee on Education: Revising the program of remediation. Reported by Committee on Education

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

\*Sec. 1. Section 1, chapter 149, Laws of 1979 and RCW 28A.41.400 are each amended to read as follows:

It is the purpose of ~~((this act))~~ RCW 28A.41.402 through 28A.41.410 to create a state-wide program designed to provide remediation assistance to public school students who are deficient in basic skills achievement. The legislature intends that students' participation in the program be for the shortest period of time necessary and that a program objective be to help students attain grade-level in skills as soon as possible. The legislature intends, in establishing and continuing this ~~((new))~~ program, that the most efficient use possible be made of available testing information and of revenue for similar purposes from the federal government.

Sec. 2. Section 2, chapter 149, Laws of 1979 and RCW 28A.41.402 are each amended to read as follows:

As used in ~~((this act))~~ RCW 28A.41.400 through 28A.41.410 unless the context clearly indicates otherwise:

(1) 'Basic skills' means reading, mathematics, and language arts.

(2) 'Program of remediation' ~~((shall))~~ means the assistance ~~((in the remediation of basic skills deficiencies provided to five students or less per session))~~ provided to eligible students by a person certified pursuant to chapter 28A.70 RCW or by a person appropriately trained for that purpose acting under the direct supervision and control of a person certificated pursuant to chapter 28A.67 RCW. Such assistance shall be provided to ten eligible students or fewer per session. However, local school districts are encouraged to provide such assistance to five eligible students or fewer per session for students in grades two through six. Local school districts shall make every effort to provide such sessions in the regular classroom setting in grades two through six.

(3) 'Approved program' means a program of remediation which is designed by a public school district, or which is selected from the bank of nationally validated proven educational practices and is a diagnostic, prescriptive model in basic skills, and which is approved by the local school board and the superintendent of public instruction in accordance with the following criteria:

(a) All students participating in the program shall be ~~((educationally deprived by consequence of their being below grade level in basic skills achievement))~~ eligible as defined in RCW 28A.41.406:

(b) The program and individual student progress shall be based on performance objectives related to educational achievement and shall be annually evaluated by the district in a manner consistent with such objectives;

(c) The program shall provide supplementary services designed to meet the ~~((special educational))~~ needs of the participating students by providing a program of remediation for such participating students of sufficient size, scope, and quality to give reasonable promise of substantial progress toward meeting the needs of such students and supportive services consisting of supervision, materials and supplies and the training of administrators, teachers, aides and tutors;

(d) ~~((Not less than fifty percent of the funds expended in the program by any school district in any fiscal year shall be expended in school attendance areas having high concentrations of students from low-income families as defined in Section 122 of Public Law 95-564))~~ The superintendent of public instruction may adopt additional program standards and procedures as necessary to combine the state program for remediation in basic skills with like federal programs in order to fulfill the state's goal of providing service to students in need of remediation;  
and

(e) The school district shall keep individual records of student progress and other such records and provide reasonable access thereto by parents and by the superintendent of public instruction as is necessary to assure compliance with the ~~((foregoing approval criteria))~~ provisions set forth in RCW 28A.41.400 through 28A.41.410.

(4) 'Basic skills tests' means tests established pursuant to RCW 28A.03.360, as now or hereafter amended.

(5) 'Placement testing' means the administration of standardized objective ((tests)) measurements by a school district for the purpose of diagnosing the basic skills achievement levels and remediation needs of individual students in conformance with instructions established by the superintendent of public instruction established for such purpose.

(6) 'Standardized objective measurement' means a written or oral testing instrument that can be applied uniformly and consistently to determine in a comparable manner the educational achievement level of children.

Sec. 3. Section 3, chapter 149, Laws of 1979 and RCW 28A.41.404 are each amended to read as follows:

~~((Each school district which has established an approved program)) Each school district in which students are enrolled who are eligible for remediation services under RCW 28A.41.406 shall establish an approved program. Each school district shall submit annually an application to the office of the superintendent of public instruction for program approval. Local school districts are encouraged to save time and effort by implementing those nationally validated programs identified in RCW 28A.41.402(3). Upon approval of the program, each school district shall be eligible((as determined by the superintendent of public instruction)) for state funds made available for the purposes of such program((s)). The ((number of students eligible to participate in such program in each school district)) allocation of state funds for each school district shall be calculated by the superintendent of public instruction ((through the use of data derived from the basic skills test. In making such calculations the superintendent of public instruction shall multiply the percentage of students taking the tests which scored in the lowest quartile, as compared to national norms, by the number of students enrolled in the district in grades two through six)) as follows: The sum of: (1) The number of students enrolled in grades two through six in the district multiplied by the percentage of students taking the fourth grade basic skills test in the previous year who scored in the lowest quartile as compared to national norms, and then reduced to the extent that the number of students ages seven through eleven in the district who are identified as specific learning disabled and served through programs established pursuant to chapter 28A.13 RCW exceeds four percent of the district enrollment in grades two through six; and (2) The number of students enrolled in grades seven through nine in the district multiplied by the percentage of students taking the eighth grade basic skills test in the previous year who scored in the lowest quartile as compared to national norms, and then reduced to the extent that the number of students ages twelve through fourteen in the district who are identified as specific learning disabled and served through programs established pursuant to chapter 28A.13 RCW exceeds four percent of the district enrollment in grades seven through nine: PROVIDED, That in making this calculation the superintendent of public instruction may use an average of the percentages of the students scoring in the lowest quartile over the immediately preceding five or fewer years.~~

Sec. 4. Section 4, chapter 149, Laws of 1979 and RCW 28A.41.406 are each amended to read as follows:

~~Each school district shall determine the students ((who may)) eligible to participate in an approved program of remediation ((shall be determined by each school district)) through placement testing((-PROVIDED, That only students in grades two through six who are behind grade level in one or more basic skills shall be eligible to participate: PROVIDED FURTHER, That the total number of students in a school district who may participate in an approved program of remediation may not exceed the total number of eligible students calculated in accordance with the provisions of RCW 28A.41.404)). Students enrolled in grades two through nine who score at or below the twenty-fifth percentile in one or more basic skills shall be eligible to participate. No student receiving ((educational services from the programs conducted)) special education instruction in basic skills pursuant to chapter 28A.13 RCW shall be eligible to participate in the remediation program established by ((this act)) RCW 28A.41.400 through 28A.41.410 if the student's ((program)) special education instruction is designed to address ((like needs)) the same basic skills as those addressed by the program of remediation.~~

NEW SECTION, Sec. 5. A new section is added to chapter 28A.41 RCW to read as follows:

State moneys allocated to local districts for remediation assistance shall be spent only for remediation assistance activities.

NEW SECTION, Sec. 6. A new section is added chapter 28A.41 RCW to read as follows:

School districts may enrich the program authorized by RCW 28A.41.400 through 28A.41.410: PROVIDED, That such enrichment shall not constitute a responsibility of the state.

Sec. 7. Section 6, chapter 149, Laws of 1979 and RCW 28A.41.410 are each amended to read as follows:

In order to insure that school districts are meeting the requirements of an approved program, the superintendent of public instruction shall monitor such programs no less than once every three years. The results of the evaluations required by RCW 28A.41.402(3)(b) shall be transmitted to the superintendent of public instruction annually. The superintendent of public instruction shall also review annually the state-wide remediation program and shall submit a report of such review to the legislature on or before January 1 of each year.

NEW SECTION, Sec. 8. In recognition of the fact that remediation assistance is necessary for some students in every grade level in the public school system in order for such students to reach a reasonable level of achievement in basic skills, it is hereby declared to be the intent of the legislature to extend the remediation assistance program to all eligible students in grades one through twelve beginning with the 1986-1987 school year. This section shall take effect only if funds are appropriated before July 1, 1987, for the purposes of this act. If such funds are not so appropriated for the purposes of this section, this section shall be null and void in its entirety.

NEW SECTION, Sec. 9. Section 7, chapter 149, Laws of 1979, section 2, chapter 163, Laws of 1982 and RCW 28A.41.412 are each repealed.

NEW SECTION. Sec. 10. Section 8, chapter 149, Laws of 1979 and RCW 28A.41.414 are each repealed.

NEW SECTION. Sec. 11. This act shall take effect if funds are appropriated in the state operating appropriations act for the 1985-87 biennium for the purposes of this act. If such funds are not so appropriated for the purposes of this act, this act shall be null and void in its entirety."

On page 1, line 4 of the title, after "28A.41.412" insert "and 28A.41.414"

Signed by Representatives Ebersole, Chair; Valle, Vice Chair; Appelwick, Betrozoff, Cole, Holland, P. King, Long, Peery, Rayburn, Rust, Schoon, L. Smith, Todd, Walker and Wang.

Absent: Representatives Chandler, Fuhrman and Taylor.

Referred to Committee on Ways & Means.

March 28, 1985

SSB 3518 Prime Sponsor, Committee on Education: Enhancing early childhood education. Reported by Committee on Education

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. A new section is added to chapter 28A.03 RCW to read as follows:

(1) The office of early childhood education is established in the office of the superintendent of public instruction. The superintendent shall select a director of early childhood education possessing appropriate qualifications.

(2) The office of early childhood education shall:

- (a) Collect information on both public and private early childhood programs in the state;
- (b) Publish and make available documents and handbooks about early childhood education for distribution to school districts, parents, and teachers;
- (c) Assist local school districts in the development or implementation of prekindergarten assessment programs;

(d) Develop rules in conjunction with the state board of education for school or school district pilot projects combining kindergarten through grade three into a primary block;

(e) Establish a formal communication structure between the office of the superintendent of public instruction and the department of social and health services about monitoring education programs for three and four year old children and child care programs provided by private persons and agencies;

(f) Establish a formal communication structure between the office of the superintendent of public instruction and the department of community development regarding the operation of federal, private, or state programs for disadvantaged 'at-risk' children not yet eligible for kindergarten;

(g) Make recommendations to the state board of education regarding the potential establishment and maintenance of an early childhood endorsement on the certificates of teachers in kindergarten through grade three; and

(h) Perform such additional duties as may be deemed necessary by the superintendent of public instruction.

NEW SECTION. Sec. 2. A new section is added to chapter 28A.03 RCW to read as follows:

The superintendent of public instruction shall create a preschool advisory committee consisting of representatives from professional associations, direct service providers including large and small private for profit and nonprofit programs, school districts, state and local governments, community colleges, four-year institutions of higher education, parents, the department of social and health services, and other agencies with a direct interest in preschool programs. The advisory committee shall review policy issues relating to providing quality preschool programs in the state including, but not limited to the following: Types of students to be served at public expense, structures for the provision of services for such children, the need for definition and regulation of the preschool programs, and coordination of standards.

NEW SECTION. Sec. 3. The superintendent of public instruction shall design and conduct a pilot program in ten half-day kindergarten classes and ten first grade classes to assess the impact of using instructional assistants to aid certificated personnel in the instruction in these grades and thereby reduce the student to adult ratio as follows:

(1) The pilot program shall commence in the 1985-86 school year and terminate at the end of the 1986-87 school year.

(2) The pilot program shall consist of ten half-day kindergarten classes and ten first grade classes with an actual class size of not less than twenty students to one classroom teacher which are assigned an instructional assistant for the duration of the pilot program. These classes shall be identified as benefit classrooms.

(3) The superintendent of public instruction shall report to the house of representatives education committee and senate education committee on the cost of the pilot program.

achievements of students on pretests and post tests, and projected costs of the state-wide application of the student to adult ratio used in the pilot program.

This section shall expire June 30, 1987.

NEW SECTION. Sec. 4. Implementation of this act is subject to funds being appropriated or made available for such purposes."

On page 1, line 1 of the title, after "education;" strike the remainder of the title and insert "adding new sections to chapter 28A.03 RCW; and creating new sections."

Signed by Representatives Ebersole, Chair; Valle, Vice Chair; Appelwick, Cole, Holland, P. King, Long, Peery, Rayburn, Rust, Todd and Wang.

MINORITY recommendation: Do not pass. Signed by Representatives Betzoff, Chandler and Fuhrman.

Voting nay: Representatives Betzoff, Chandler, Fuhrman, Schoon and L. Smith.

Absent: Representatives Taylor and Walker.

Referred to Committee on Ways & Means.

March 29, 1985

SSB 3536 Prime Sponsor, Committee on Commerce & Labor: Revising the powers of public utility districts. Reported by Committee on Local Government

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 22 after "building" strike "plans" and insert "codes"

Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Allen, Brough, Doty, Ebersole, Hine, Isaacson, May, Patrick, Rayburn, Smitherman, Winsley and Zellinsky.

Absent: Representatives Bristow, Ebersole, Hine, Isaacson and Smitherman.

Passed to Committee on Rules for second reading.

March 27, 1985

SB 3547 Prime Sponsor, Senator Granlund: Revising provisions relating to school immunization programs. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 3, chapter 118, Laws of 1979 ex. sess. and RCW 28A.31.104 are each amended to read as follows:

The attendance of every child at every public and private school in the state and licensed day care center shall be conditioned upon the presentation (~~(within forty-five days of)~~ before or on each child's first day of attendance at a particular school or center, of proof of either (1) full immunization, (2) the initiation of and compliance with a schedule of immunization, as required by rules of the state board of health, or (3) a certificate of exemption as provided for in RCW 28A.31.106. The attendance at the school or the day care center during any subsequent school year of a child who has initiated a schedule of immunization shall be conditioned upon the presentation of proof of compliance with the schedule on the child's first day of attendance during the subsequent school year. Once proof of full immunization or proof of completion of an approved schedule has been presented, no further proof shall be required as a condition to attendance at the particular school or center.

Sec. 2. Section 2, chapter 118, Laws of 1979 ex. sess. as amended by section 4, chapter 40, Laws of 1984 and RCW 28A.31.102 are each amended to read as follows:

As used in RCW 28A.31.100 through 28A.31.120:

(1) 'Chief administrator' shall mean the person with the authority and responsibility for the immediate supervision of the operation of a school or day care center as defined in this section or, in the alternative, such other person as may hereafter be designated in writing for the purposes of RCW 28A.31.100 through 28A.31.120 by the statutory or corporate board of directors of the school district, school, or day care center or, if none, such other persons or person with the authority and responsibility for the general supervision of the operation of the school district, school or day care center.

(2) 'Full immunization' shall mean immunization against certain vaccine-preventable diseases in accordance with schedules and with immunizing agents approved by the state board of health.

(3) 'Local health department' shall mean the city, town, county, district or combined city-county health department, board of health, or health officer which provides public health services.

(4) 'School' shall mean and include each building, facility, and location at or within which any or all portions of a preschool, kindergarten and grades one through twelve program of education and related activities are conducted for two or more children by or in behalf of any public school district and by or in behalf of any private school or private institution subject to approval by the state board of education pursuant to RCW 28A.04.120(4) and 28A.02.201 through 28A.02.260, each as now or hereafter amended.

(5) 'Day care center' shall mean an agency which regularly provides care for a group of thirteen or more children for periods of less than twenty-four hours and is licensed pursuant to chapter 74.15 RCW.

(6) 'Child' shall mean any person, regardless of age, in attendance at a public or private school or a licensed day care center.

Sec. 3. Section 8, chapter 118, Laws of 1979 ex. sess. as amended by section 8, chapter 40, Laws of 1984 and RCW 28A.31.114 are each amended to read as follows:

~~((Upon notification by the local health department;))~~ It shall be the duty of the chief administrator of every public and private school and day care center to prohibit the further presence at the school or day care center for any and all purposes of each child for whom proof of immunization, certification of exemption, or proof of compliance with an approved schedule of immunization has not been provided in accordance with RCW 28A.31.104 and to continue to prohibit the child's presence until such proof of immunization, certification of exemption, or approved schedule has been provided. The exclusion of a child from a school shall be accomplished in accordance with rules of the state board of education. The exclusion of a child from a day care center shall be accomplished in accordance with rules of the department of social and health services. Prior to the exclusion of a child ~~((from a)), each school or day care center ((each local health department))~~ shall provide written notice to the parent(s) or legal guardian(s) of each child or to the adult(s) in loco parentis to each child, who is not in compliance with the requirements of RCW 28A.31.104. The notice shall fully inform such person(s) of the following: (1) The requirements established by and pursuant to RCW 28A.31.100 through 28A.31.120; (2) the fact that the child will be prohibited from further attendance at the school unless RCW 28A.31.104 is complied with; (3) such procedural due process rights as are hereafter established pursuant to RCW 28A.31.118 and/or 28A.31.120, as appropriate; and (4) the immunization services that are available from or through the local health department and other public agencies.

NEW SECTION. Sec. 4. A new section is added to chapter 28A.31 RCW to read as follows:

The superintendent of public instruction shall provide for information about the immunization program and requirements under RCW 28A.31.100 through 28A.31.120 to be widely available throughout the state in order to promote full use of the program.

NEW SECTION. Sec. 5. A new section is added to chapter 28A.31 RCW to read as follows:

The superintendent of public instruction by rule shall provide procedures for schools to quickly verify the immunization records of students transferring from one school to another before the immunization records are received.

NEW SECTION. Sec. 6. Section 5, chapter 118, Laws of 1979 ex. sess., section 6, chapter 40, Laws of 1984 and RCW 28A.31.108 are each repealed.

NEW SECTION. Sec. 7. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 2 of the title, after "28A.31.104" insert ", 28A.31.102, and 28A.31.114"

Signed by Representatives Brekke, Chair; Day, Vice Chair; Armstrong, Braddock, Brooks, Dellwo, Leonard, Lewis, Lux, Scott, Tanner and Winsley.

Absent: Representatives Ballard, Dobbs, Padden, West and S. Wilson.

Passed to Committee on Rules for second reading.

March 27, 1985

SSB 3553 Prime Sponsor, Committee on Transportation: Regulating removal and disposal of abandoned, unauthorized, and junk vehicles. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

"DEFINITIONS

NEW SECTION. Sec. 1. The definitions set forth in this section apply throughout this chapter:

(1) 'Abandoned vehicle' means a vehicle that a registered tow truck operator has impounded and held in his possession for ninety-six consecutive hours.

(2) 'Abandoned vehicle report' means the document prescribed by the state that the towing operator forwards to the department after a vehicle has become abandoned.

(3) 'Commission' means the state commission on equipment established under RCW 46.37.005.

(4) 'Impound' means to take and hold a vehicle in legal custody. There are two types of impounds—public and private.

(a) 'Public impound' means that the vehicle has been impounded at the direction of a law enforcement officer or other public official having jurisdiction over the public property upon which the vehicle was located.

(b) 'Private impound' means that the vehicle has been impounded at the direction of a person having control or possession of the private property upon which the vehicle was located.

(5) 'Junk vehicle' means a motor vehicle certified under section 23 of this act as meeting all the following requirements:

(a) Is three years old or older;

(b) Is extensively damaged, such damage including but not limited to any of the following: A broken window or windshield or missing wheels, tires, motor, or transmission;

(c) Is apparently inoperable;

(d) Is without a valid, current registration plate;

(e) Has a fair market value equal only to the value of the scrap in it.

(6) 'Registered tow truck operator' or 'operator' means any person who engages in the impounding, transporting, or storage of unauthorized vehicles or the disposal of abandoned vehicles.

(7) 'Residential property' means property that has no more than four living units located on it.

(8) 'Tow truck' means a motor vehicle that is equipped for and used in the business of towing vehicles with equipment as approved by the commission.

(9) 'Tow truck number' means the number issued by the department to tow trucks used by a registered tow truck operator in the state of Washington.

(10) 'Tow truck permit' means the permit issued annually by the department that has the classification of service the tow truck may provide stamped upon it.

(11) 'Tow truck service' means the transporting upon the public streets and highways of this state of unauthorized vehicles, together with personal effects and cargo, by a tow truck of a registered operator.

(12) 'Unauthorized vehicle' means a vehicle that is subject to impoundment after being left unattended in one of the following public or private locations for the indicated period of time:

Subject to removal after:

(a) Public locations:

(i) Constituting a traffic hazard as defined in RCW 46.61.565 ..... Immediately

(ii) On a highway and tagged as described in RCW 46.52.170 ..... 24 hours

(iii) In a publicly owned or controlled parking facility, properly posted under section 7 of this act ..... Immediately

(b) Private locations:

(i) On residential property ..... Immediately

(ii) On private, nonresidential property, properly posted under section 7 of this act ..... Immediately

(iii) On private, nonresidential property, not posted ..... 24 hours

**REGISTRATION REQUIREMENTS**

**NEW SECTION.** Sec. 2. A person who engages in or offers to engage in the activities of a registered tow truck operator shall not do so without first obtaining a registration certificate from the department of licensing authorizing him to engage in such activities. Any person engaging in or offering to engage in the activities of a registered tow truck operator without the registration certificate required by this chapter is guilty of a gross misdemeanor.

**NEW SECTION.** Sec. 3. (1) Application for licensing as a registered low truck operator shall be made on forms furnished by the department, shall be accompanied by an inspection certification from the Washington state patrol, shall be signed by the applicant or his agent, and shall include the following information:

(a) The name and address of the person, firm, partnership, association, or corporation under whose name the business is to be conducted;

(b) The names and addresses of all persons having an interest in the business, or if the owner is a corporation, the names and addresses of the officers of the corporation;

(c) The names and addresses of all employees who serve as tow truck drivers;

(d) Proof of minimum insurance required by subsection (3) of this section;

(e) Any other information the department may require; and

(f) A certificate of approval from the chief of police if the applicant's principal place of business is located in a city or town having a population over five thousand persons or, in all other instances, from a member of the Washington state patrol, certifying that:

(i) The applicant has an established place of business at the address shown on the application;



(ii) The place of business has an office area that is accessible to the public without entering the storage area; and

(iii) The place of business has adequate and secure storage facilities, as defined in this chapter and the rules of the department, where vehicles and their contents can be properly stored and protected.

(2) Before issuing a registration certificate to an applicant the department shall require the applicant to file with the department a surety bond in the amount of five thousand dollars running to the state and executed by a surety company authorized to do business in this state. The bond shall be approved as to form by the attorney general and conditioned that the operator shall conduct his business in conformity with the provisions of this chapter pertaining to abandoned or unauthorized vehicles, and to compensate any person, company, or the state for failure to comply with this chapter or the rules adopted hereunder, or for fraud, negligence, or misrepresentation in the handling of these vehicles. Any person injured by the tow truck operator's failure to fully perform duties imposed by this chapter and the rules adopted hereunder, or an ordinance or resolution adopted by a city, town, or county is entitled to recover actual damages, including reasonable attorney's fees against the surety and the tow truck operator. Successive recoveries against the bond shall be permitted, but the aggregate liability of the surety to all persons shall not exceed the amount of the bond. As a condition of authority to do business, the operator shall keep the bond in full force and effect. Failure to maintain the penalty value of the bond or cancellation of the bond by the surety automatically cancels the operator's registration.

(3) Before the department may issue a registration certificate to an applicant, the applicant shall provide proof of minimum insurance requirements of:

(a) Two hundred fifty thousand dollars for liability for bodily injury or property damage per occurrence; and

(b) One hundred thousand dollars of legal liability per occurrence, to protect against vehicle damage, including but not limited to fire and theft, from the time a vehicle comes into the custody of an operator until it is redeemed or sold.

(4) The fee for each original registration and annual renewal is one hundred dollars per company, plus fifty dollars per truck. The department shall forward the registration fee to the state treasurer for deposit in the motor vehicle fund.

(5) Upon approval of the application, the department shall issue a registration certificate to the registered operator to be displayed prominently at the operator's place of business.

NEW SECTION. Sec. 4. (1) Application for a tow truck permit shall be accompanied by a report from the Washington state patrol covering a physical inspection of each tow truck to be used by the applicant.

(2) Upon receipt of the fee provided in section 3(4) of this act and a satisfactory inspection report from the state patrol, the department shall issue each tow truck an annual tow truck permit. The class of the tow truck, determined according to section 5 of this act, shall be stamped on the permit. The permit shall be displayed on the passenger side of the truck's front windshield.

(3) A tow truck number from the department shall be affixed in a permanent manner to each tow truck.

(4) The Washington state patrol shall conduct annual inspections of tow truck operators' equipment and facilities. Unscheduled inspections may be conducted without notice at the operator's place of business by an inspector to determine the fitness of a tow truck or facilities.

(5) If at the time of the annual or subsequent inspections the equipment does not meet the requirements of this chapter, and the deficiency is a safety related deficiency, or the equipment is necessary to the truck's performance, the inspector shall cause the registered tow truck operator to remove that equipment from service as a tow truck until such time as the equipment has been satisfactorily repaired. A red tag shall be placed on the windshield of a tow truck taken out of service, and the tow truck shall not provide tow truck service until the Washington state patrol recertifies the truck and removes the tag.

NEW SECTION. Sec. 5. (1) Tow trucks shall be classified by towing capabilities, and shall meet or exceed all equipment standards set by the commission on equipment for the type of tow trucks to be used by an operator.

(2) All tow trucks shall display the firm's name, city of address, and telephone number. This information shall be painted on or permanently affixed to both sides of the vehicle in accordance with rules adopted by the department.

(3) Before a tow truck is put into tow truck service, or when the reinspection of a tow truck is necessary, the district commander of the state patrol shall designate a location and time for the inspection to be conducted. When practicable, the inspection or reinspection shall be made within three business days following the request by the operator.

(4) Failure to comply with any requirement of this section or rules adopted under it is a traffic infraction.

NEW SECTION. Sec. 6. (1) The address that the tow truck operator lists on his or her application shall be the business location of the firm where its files are kept. The application shall also list all locations of secure areas for vehicle storage and redemption.

(2) At the business locations listed where vehicles may be redeemed, the registered operator shall post in a conspicuous and accessible location:

- (a) All pertinent licenses and permits to operate as a registered tow truck operator;
- (b) The current towing and storage charges itemized on a form approved by the department;
- (c) The vehicle redemption procedure and rights;
- (d) Information supplied by the department as to where complaints regarding either equipment or service are to be directed;
- (e) Information concerning the acceptance of commercially reasonable tender as defined in section 12(1)(b) of this act.

(3) Ten days before the effective date of any change in an operator's fee schedule, the registered tow truck operator shall file the revised fee schedule with the department.

(4) The department shall adopt rules concerning fencing and security requirements of storage areas, which may provide for modifications or exemptions where needed to achieve compliance with local zoning laws.

(5) On any day when the registered tow truck operator holds the towing services open for business, the business office shall remain open with personnel present who are able to release impounded vehicles in accordance with this chapter and the rules adopted under it.

(6) A registered tow truck operator shall maintain personnel who can be contacted twenty-four hours a day to release impounded vehicles within a reasonable time.

(7) Towing contracts with private property owners shall be in written form and state the hours of authorization to impound, the persons empowered to authorize such impounds, and the present charge of a private impound for the classes of tow trucks to be used in such impound, and shall be retained in the files of the registered tow truck operator for three years.

(8) Any fee that is charged for the storage of a vehicle shall be calculated on a twenty-four hour basis, and shall be charged to the nearest half day from the time the vehicle arrived at the secure storage area.

(9) All billing invoices that are provided to the redeemer of the vehicle shall be itemized so that the individual fees are clearly discernable.

#### IMPOUNDING UNAUTHORIZED VEHICLES

**NEW SECTION.** Sec. 7. (1) No person may impound, tow, or otherwise disturb any motor vehicle standing on nonresidential private property or in a public parking facility for less than twenty-four hours unless a sign is posted near each entrance and on the property in a clearly conspicuous and visible location to all who park on such property that clearly indicates:

- (a) The times a vehicle may be impounded as an unauthorized vehicle; and
- (b) The name, telephone number, and address of the towing firm where the vehicle may be redeemed.

(2) The requirements of subsection (1) of this section do not apply to residential property. Any person having charge of such property may have an unauthorized vehicle impounded immediately upon giving written authorization.

(3) The department shall adopt rules relating to the size of the sign required by subsection (1) of this section, its lettering, placement, and the number required.

(4) This section applies to all new signs erected after July 1, 1986. All other signs must meet these requirements by July 1, 1989.

**NEW SECTION.** Sec. 8. If a vehicle is in violation of the time restrictions of section 1(12) of this act, it may be impounded by a registered tow truck operator at the direction of a law enforcement officer or other public official with jurisdiction if the vehicle is on public property, or at the direction of the property owner or his agent if it is on private property.

The person requesting a private impound shall provide a signed authorization for the impound at the time and place of the impound to the registered tow truck operator before the operator may proceed with the impound.

**NEW SECTION.** Sec. 9. (1) All vehicles impounded shall be taken to the nearest storage location that has been inspected and is listed on the application filed with the department.

(2) All vehicles shall be handled and returned in substantially the same condition as they existed before being towed.

(3) All personal belongings and contents in the vehicle shall be kept intact, and shall be returned to the vehicle's owner or agent during normal business hours upon request and presentation of a driver's license or other sufficient identification. Personal belongings shall not be sold at auction to fulfill a lien against the vehicle.

(4) All personal belongings not claimed before the auction shall be turned over to the local law enforcement agency to which the initial notification of impoundment was given. Such personal belongings shall be disposed of pursuant to chapter 63.29 RCW.

(5) After January 1, 1986, all employees who serve as tow truck drivers shall have a Washington state driver's license endorsed for vehicle combinations under RCW 46.20.440.

(6) Any person who shows proof of ownership or written authorization from the impounded vehicle's registered or legal owner may view the vehicle without charge during normal business hours.

**NEW SECTION.** Sec. 10. (1) At the time of impoundment the registered tow truck operator providing the towing service shall give immediate notification, by telephone or radio, to a law enforcement agency having jurisdiction who shall maintain a log of such reports, unless the impoundment was requested by that law enforcement agency. The initial notice of impoundment shall be followed by a written notice within twenty-four hours.

(2) The operator shall immediately send an abandoned vehicle report to the department for any vehicle in the operator's possession after the ninety-six hour abandonment period.

(3) Within fifteen days of the sale of an abandoned vehicle at public auction, the towing operator shall send a copy of the abandoned vehicle report showing the disposition of the abandoned vehicle to the crime information center of the Washington state patrol.

**NEW SECTION.** Sec. 11. (1) In the case of an unauthorized vehicle impounded from public property, the law enforcement agency or other public official directing the impoundment, or in the case of a vehicle impounded from private property, the impounding towing operator, shall notify the legal and registered owners of the impoundment of the unauthorized vehicle. The notification shall be sent by first-class mail within twenty-four hours after the impoundment to the last known registered and legal owners of the vehicle, as provided by the law enforcement agency. The notification shall include the name of the impounding tow firm, its address, and telephone number. The notice shall also include the location, time of the impound, and by whose authority the vehicle was impounded.

(2) In the case of an abandoned vehicle, within twenty-four hours after receiving information on the vehicle owners from the department through the abandoned vehicle report, the tow truck operator shall send by certified mail, a notice of custody and sale to the legal and registered owners.

#### REDEMPTION RIGHTS AND HEARING PROCEDURES

**NEW SECTION.** Sec. 12. (1) Vehicles impounded by registered tow truck operators pursuant to RCW 46.52.170, 46.61.565, or section 8 of this act may be redeemed only under the following circumstances:

(a) Only the legal owner, the registered owner, a person authorized by the registered owner, or one who has purchased a vehicle from the registered owner, who produces proof of ownership or written authorization and signs a receipt therefor may redeem an impounded vehicle.

(b) The vehicle shall be released upon the presentation to any person having custody of the vehicle of commercially reasonable tender sufficient to cover the costs of towing, storage, or other services rendered during the course of towing, removing, impounding, or storing any such motor vehicle. Commercially reasonable tender shall include, without limitation, cash, major bank credit cards, or personal checks drawn on in-state banks if accompanied by two pieces of valid identification, one of which may be required by the operator to have a photograph. Any person who stops payment on a personal check or does not make restitution within ten days from the date a check becomes insufficient due to lack of funds to a towing firm that has provided a service pursuant to this section or in any other manner defrauds the towing firm in connection with services rendered pursuant to this section shall be liable for damages in the amount of twice the towing and storage fees, plus costs and reasonable attorney's fees.

(2) (a) The towing company shall give to each person who seeks to redeem an impounded vehicle written notice of the right of redemption and opportunity for a hearing, which notice shall be accompanied by a form to be used for requesting a hearing, and a copy of the tow and storage receipt. The towing company shall maintain a record evidenced by the redeeming person's signature that such notification was provided.

(b) Any person seeking to redeem an impounded vehicle under this section has a right to a hearing in the district court for the jurisdiction in which the vehicle was impounded to contest the validity of the impoundment or the amount of towing and storage charges. Any request for a hearing shall be made in writing on the form provided for that purpose and must be received by the district court within ten days of the date the opportunity was provided for in subsection (2)(a) of this section. If the hearing request is not received by the district court within the ten-day period, the right to a hearing is waived and the registered owner is liable for any towing, storage, or other impoundment charges permitted under this chapter. Upon receipt of a timely hearing request, the district court shall proceed to hear and determine the validity of the impoundment.

(3)(a) The district court, within five days after the request for a hearing, shall notify the registered tow truck operator, the person requesting the hearing if not the owner, and the registered and legal owners of the motor vehicle in writing of the hearing date and time.

(b) At the hearing, the person or persons requesting the hearing may produce any relevant evidence to show that the impoundment, towing, or storage fees charged were not proper.

(c) At the conclusion of the hearing, the district court shall determine whether the impoundment was proper, whether the towing or storage fees charged were in compliance with the posted rates, and who is responsible for payment of the charges.

(d) If the impoundment is found proper, the impoundment, towing, and storage fees as permitted under this chapter together with court costs shall be assessed against the person or

persons requesting the hearing, unless the operator did not have a signed and valid impoundment authorization from a private property owner or an authorized agent.

(e) If the impoundment is determined to be invalid, then the registered and legal owners of the vehicle shall bear no impoundment, towing, or storage costs, and any bond or other security shall be returned or discharged as appropriate, and the person who authorized the impoundment shall be liable for any towing, storage, or other impoundment charges permitted under this chapter.

(4) Any impounded vehicle not redeemed within fifteen days of mailing of the notice of custody and sale as required by section 11(2) of this act shall be sold at public auction in accordance with all the provisions and subject to all the conditions of section 13 of this act. A vehicle may be redeemed any time before the start of the auction upon payment of towing and storage costs.

**NEW SECTION.** Sec. 13. (1) If, after the expiration of fifteen days from the date of mailing of notice of custody and sale required in section 11(2) of this act to the registered and legal owners, the vehicle or hulk remains unclaimed and has not been listed as a stolen vehicle, then the registered disposer having custody of the vehicle or hulk shall conduct a sale of the vehicle at public auction after having first published a notice of the date, place, and time of the auction in a newspaper of general circulation in the county in which the vehicle is located not less than three days before the date of the auction. The advertisement shall contain a description of the vehicle including the make, model, year, and license number and a notification that a three-hour public viewing period will be available before the auction. The auction shall be held during daylight hours of a normal business day.

(2) The following procedures are required in any public auction of abandoned vehicles:

(a) The auction shall be held in such a manner that all persons present are given an equal time and opportunity to bid;

(b) All bidders must be present at the time of auction unless they have submitted to the registered tow truck operator, who may or may not choose to use the preauction bid method, a written bid on a specific vehicle. Written bids may be submitted up to five days before the auction and shall clearly state which vehicle is being bid upon, the amount of the bid, and who is submitting the bid;

(c) The open bid process, including all written bids, shall be used so that everyone knows the dollar value that must be exceeded;

(d) The highest two bids received shall be recorded in written form;

(e) In case the high bidder defaults, the next bidder has the right to purchase the vehicle for the amount of his or her bid;

(f) The registered tow truck operator shall post a copy of the auction procedure at the bidding site. If the bidding site is different from the licensed office location the operator shall post a clearly visible sign at the office location that describes in detail where the auction will be held. At the bidding site a copy of the newspaper advertisement that lists the vehicles for sale shall be posted;

(g) All surplus moneys derived from the auction after satisfaction of the tow truck operator's lien shall be remitted within thirty days to the department for deposit in the state motor vehicle fund. A report identifying the vehicles resulting in any surplus shall accompany the remitted funds. If the director subsequently receives a valid claim from the registered vehicle owner of record within one year from the date of the auction, the surplus moneys shall be remitted to the registered owner;

(h) If an operator receives no bid, or if the operator is the successful bidder at auction, the operator shall, within thirty days sell the unclaimed abandoned vehicle to a licensed vehicle wrecker, hulk hauler, or scrap processor by use of the abandoned vehicle report-affidavit of sale, or the operator shall apply for title to the vehicle.

(3) (a) In no case may the accumulation of storage charges exceed fifteen days from the date of receipt of the information by the operator from the department as provided by section 11(2) of this act.

(b) The failure of the registered disposer to comply with the time limits provided in this chapter limits the accumulation of storage charges to five days except where delay is unavoidable. Providing incorrect or incomplete identifying information to the department in the abandoned vehicle report shall be considered a failure to comply with these time limits if correct information is available.

**NEW SECTION.** Sec. 14. (1) A registered tow truck operator who has a valid and signed impoundment authorization has a lien upon the vehicle for services provided in the towing and storage of the vehicle, unless the impoundment is determined to have been invalid. However, the lien does not apply to personal property in or upon the vehicle that is not permanently attached to or is not an integral part of the vehicle. The registered operator also has a deficiency claim against the last registered owner of the vehicle for services provided in the towing and storage of the vehicle not to exceed the sum of three hundred dollars less the amount bid at auction, and for vehicles of over ten thousand pounds gross vehicle weight, the operator has a deficiency claim of one thousand dollars less the amount bid at auction, unless the

impound is determined to be invalid. A registered owner who has completed the seller's report as provided for by RCW 46.12.101 is relieved of liability under this section.

(2) Any person who tows, removes, or otherwise disturbs any motor vehicle parked, stalled, or otherwise left on privately owned or controlled property, and any person owning or controlling the private property, or either of them, are liable to the owner, operator, or driver of a motor vehicle, or each of them, for consequential and incidental damages arising from any interference with the ownership or use of the motor vehicle which does not comply with the requirements of this chapter.

#### RECORDS, INSPECTIONS, AND ENFORCEMENT

NEW SECTION, Sec. 15. The registered tow truck operator shall keep a transaction file on each vehicle. The transaction file shall contain as a minimum those of the following items that are required at the time the vehicle is redeemed or becomes abandoned and is sold at a public auction:

- (1) A signed impoundment authorization as required by section 8 of this act;
- (2) A record of the twenty-four hour written impound notice to a law enforcement agency;
- (3) A copy of the impoundment notification to registered and legal owners, sent within twenty-four hours of impoundment, that advises the owners of the address of the impounding firm, a twenty-four hour telephone number, and the person under whose authority the vehicle was impounded;
- (4) A copy of the abandoned vehicle report that was sent to and returned by the department;
- (5) A copy and proof of mailing of the notice of custody and sale sent by the registered operator to the owners advising them they have fifteen days to redeem the vehicle before it is sold at public auction;
- (6) A copy of the advertisement of public auction;
- (7) A copy of the affidavit of sale showing the sales date, purchaser, amount of the lien, and sale price;
- (8) A record of the two highest bid offers on the vehicle;
- (9) A copy of the notice of opportunity for hearing given to those who redeem vehicles.

The transaction file shall be kept for a minimum of three years.

NEW SECTION, Sec. 16. Records, equipment, and facilities of a registered tow truck operator shall be available during normal business hours for audit or inspection by the department of licensing, the Washington state patrol, or any law enforcement agency having jurisdiction.

NEW SECTION, Sec. 17. (1) All law enforcement agencies or local licensing agencies that receive complaints involving registered tow truck operators shall forward the complaints, along with any supporting documents including all results from local investigations, to the department.

(2) Complaints involving deficiencies of equipment shall be forwarded by the department to the state commission on equipment.

NEW SECTION, Sec. 18. The director or the commission may use a hearing officer or administrative law judge for presiding over a hearing regarding infractions by registered tow truck operators of this chapter, chapter 46.37 RCW, or rules adopted thereunder.

NEW SECTION, Sec. 19. The director, in cooperation with the chief of the Washington state patrol, shall adopt rules that carry out the provisions and intent of this chapter.

NEW SECTION, Sec. 20. A registered tow truck operator's license may be denied, suspended, or revoked, or the licensee may be ordered to pay a monetary penalty of a civil nature, not to exceed one thousand dollars per violation, whenever the director has reason to believe the licensee has committed, or is at the time committing, a violation of this chapter or rules adopted under it or any other statute or rule relating to the title or disposition of vehicles or vehicle hulks, including but not limited to:

- (1) Towing any abandoned vehicle without first obtaining and having in his possession at all times while transporting it, appropriate evidence of ownership or an impound authorization properly executed by the private person having control over the property on which the unauthorized vehicle was found;
- (2) Forging the signature of the registered or legal owner on a certificate of title, or forging the signature of any authorized person on documents pertaining to unauthorized or abandoned vehicles or automobile hulks;
- (3) Failing to comply with the statutes and rules relating to the processing and sale of abandoned vehicles;
- (4) Failing to accept bids on any abandoned vehicle offered at public sale;
- (5) Failing to transmit to the state surplus funds derived from the sale of an abandoned vehicle;
- (6) Selling, disposing of, or having in his possession, without notifying law enforcement officials, a vehicle that he knows or has reason to know has been stolen or illegally appropriated without the consent of the owner;
- (7) Failing to comply with the statutes and rules relating to the transfer of ownership of vehicles or other procedures after public sale; or

(8) Failing to pay any civil monetary penalty assessed by the director pursuant to this section within ten days after the assessment becomes final.

All orders by the director made under this chapter are subject to the Administrative Procedure Act, chapter 34.04 RCW.

**NEW SECTION.** Sec. 21. Whenever it appears to the director that any registered operator or a person offering towing services has engaged in or is about to engage in any act or practice constituting a violation of any provision of this chapter or any rule adopted hereunder, the director may issue an order directing the operator to cease and desist from continuing the act or practice. Reasonable notice of and opportunity for a hearing shall be given. The director may issue a temporary order pending a hearing, the temporary order shall remain in effect until ten days after the hearing is held and shall become final if the person to whom notice is addressed does not request a hearing within fifteen days after the receipt of notice.

**NEW SECTION.** Sec. 22. If an application for a license to conduct business as a tow truck operator is filed by any person whose license has previously been canceled for cause by the department, or if the department is of the opinion that the application is not filed in good faith or that the application is filed by some person as a subterfuge for the real person in interest whose license has previously been canceled for cause, the department, after a hearing, of which the applicant has been given twenty days' notice in writing and at which the applicant may appear in person or by counsel and present testimony, may refuse to issue such a person a license to conduct business as a tow truck operator.

#### JUNK VEHICLE DISPOSITION

**NEW SECTION.** Sec. 23. (1) Notwithstanding any other provision of law, any law enforcement officer having jurisdiction or any person authorized by the director may inspect and certify that a vehicle meets the requirements of a junk vehicle. The person making the certification shall record the make and vehicle identification number or license number of the vehicle if available, and shall also describe in detail the damage or missing equipment to verify that the value of the junk vehicle is equivalent only to the value of the scrap in it.

(2) The law enforcement officer or department representative shall provide information on the vehicle's owner to the landowner.

(3) Upon receiving information on the vehicle's owner, the landowner shall obtain a junk vehicle notification form from the department. The landowner shall send by certified mail, notification to the registered and legal owners shown on the records of the department. The notification shall describe the redemption procedure and the right to contest the sale of a junk vehicle in a district court hearing.

(4) If the vehicle remains unclaimed more than fifteen days after the landowner has mailed notification to the owner, the landowner may sign an affidavit of sale to be used as a title document.

(5) If no information on the vehicle's owner is found in the records of the department, the landowner shall place a legal notice of custody and sale in a newspaper of general circulation in the county. The newspaper notice shall include (a) the description of the vehicle; (b) the address of the location of the junk vehicle; (c) the date by which the owner must redeem the vehicle; and (d) a telephone number where the landowner can be reached. If the vehicle remains unclaimed more than twenty days after publication of the notice, the landowner may sign an affidavit of sale to be used as a title document.

(6) The landowner of the property upon which the junk vehicle is located is entitled to recover from the vehicle owner any costs incurred in the removal of the junk vehicle.

(7) For the purposes of this section, the term 'landowner' includes a legal owner of private property, a person with possession or control of private property, or a public official having jurisdiction over public property.

#### LOCAL REGULATION

**NEW SECTION.** Sec. 24. (1) A city, town, or county that adopts an ordinance or resolution concerning unauthorized, abandoned, or impounded vehicles shall include the applicable provisions of this chapter.

(a) A city, town, or county may, by ordinance, authorize other impound situations that may arise locally upon the public right-of-way or other publicly owned or controlled property.

(b) A city, town, or county may, by ordinance, provide for release of an impounded vehicle by means of a promissory note in lieu of immediate payment, if at the time of redemption the legal or registered owner requests a hearing on the validity of the impoundment. If the municipal ordinance directs the release of an impounded vehicle before the payment of the impoundment charges, the municipality is responsible for the payment of those charges to the registered tow truck operator within thirty days of the hearing date.

(c) The hearing specified in section 12(2) of this act and in this section may be conducted by an administrative hearings officer instead of in the district court. A decision made by an administrative hearing officer may be appealed to the district court for final judgment.

(2) A city, town, or county may adopt an ordinance establishing procedures for the abatement and removal as public nuisances of unauthorized junk motor vehicles or parts thereof from private property. Costs of removal may be assessed against the last registered owner of the vehicle or automobile hulk if the identity of the owner can be determined, unless the owner

in the transfer of ownership of the vehicle or automobile hulk has complied with RCW 46.12.101, or the costs may be assessed against the owner of the property on which the vehicle is stored.

(3) Ordinances pertaining to public nuisances shall contain:

(a) A provision requiring notice to the last registered owner of record and the property owner of record that a hearing may be requested and that if no hearing is requested, the vehicle or automobile hulk will be removed;

(b) A provision requiring that if a request for a hearing is received, a notice giving the time, location, and date of the hearing on the question of abatement and removal of the vehicle or part thereof as a public nuisance shall be mailed, by certified mail, with a five-day return receipt requested, to the owner of the land as shown on the last equalized assessment roll and to the last registered and legal owner of record unless the vehicle is in such condition that identification numbers are not available to determine ownership;

(c) A provision that the ordinance shall not apply to (i) a vehicle or part thereof that is completely enclosed within a building in a lawful manner where it is not visible from the street or other public or private property or (ii) a vehicle or part thereof that is stored or parked in a lawful manner on private property in connection with the business of a licensed dismantler or licensed vehicle dealer and is fenced according to RCW 46.80.130;

(d) A provision that the owner of the land on which the vehicle is located may appear in person at the hearing or present a written statement in time for consideration at the hearing, and deny responsibility for the presence of the vehicle on the land, with his reasons for the denial. If it is determined at the hearing that the vehicle was placed on the land without the consent of the landowner and that he has not subsequently acquiesced in its presence, then the local agency shall not assess costs of administration or removal of the vehicle against the property upon which the vehicle is located or otherwise attempt to collect the cost from the owner;

(e) A provision that after notice has been given of the intent of the city, town, or county to dispose of the vehicle and after a hearing, if requested, has been held, the vehicle or part thereof shall be removed at the request of a law enforcement officer with notice to the Washington state patrol and the department of licensing that the vehicle has been wrecked. The city, town, or county may operate such a disposal site when its governing body determines that commercial channels of disposition are not available or are inadequate, and it may make final disposition of such vehicles or parts, or may transfer such vehicle or parts to another governmental body provided such disposal shall be only as scrap.

(4) A registered disposer under contract to a city or county for the impounding of vehicles shall comply with any administrative regulations adopted by the city or county on the handling and disposing of vehicles.

#### MISCELLANEOUS

NEW SECTION. Sec. 25. Sections 1 through 24 of this act shall constitute a new chapter in Title 46 RCW.

NEW SECTION. Sec. 26. 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. 27. Headings and captions used in this act are not any part of the law.

Sec. 28. Section 12, chapter 10, Laws of 1982 as amended by section 6, chapter 164, Laws of 1983 and RCW 46.63.020 are each amended to read as follows:

Failure to perform any act required or the performance of any act prohibited by this title or an equivalent administrative regulation or local law, ordinance, regulation, or resolution relating to traffic including parking, standing, stopping, and pedestrian offenses, is designated as a traffic infraction and may not be classified as a criminal offense, except for an offense contained in the following provisions of this title or a violation of an equivalent administrative regulation or local law, ordinance, regulation, or resolution:

(1) RCW 46.09.120(2) relating to the operation of a nonhighway vehicle while under the influence of intoxicating liquor or a controlled substance;

(2) RCW 46.09.130 relating to operation of nonhighway vehicles;

(3) RCW 46.10.090(2) relating to the operation of a snowmobile while under the influence of intoxicating liquor or narcotics or habit-forming drugs or in a manner endangering the person of another;

(4) RCW 46.10.130 relating to the operation of snowmobiles;

(5) Chapter 46.12 RCW relating to certificates of ownership and registration;

(6) RCW 46.16.160 relating to vehicle trip permits;

(7) RCW 46.20.021 relating to driving without a valid driver's license;

(8) RCW 46.20.336 relating to the unlawful possession and use of a driver's license;

(9) RCW 46.20.342 relating to driving with a suspended or revoked license;

(10) RCW 46.20.410 relating to the violation of restrictions of an occupational driver's license;

(11) RCW 46.20.420 relating to the operation of a motor vehicle with a suspended or revoked license;

(12) Chapter 46.29 RCW relating to financial responsibility;

- (13) RCW 46.44.180 relating to operation of mobile home pilot vehicles;
- (14) RCW 46.48.175 relating to the transportation of dangerous articles;
- (15) RCW 46.52.010 relating to duty on striking an unattended car or other property;
- (16) RCW 46.52.020 relating to duty in case of injury to or death of a person or damage to an attended vehicle;
- (17) RCW 46.52.090 relating to reports by repairmen, storagemen, and appraisers;
- (18) RCW 46.52.100 relating to driving under the influence of liquor or drugs;
- (19) ~~(RCW 46.52.108 relating to disposal of abandoned vehicles or hulks;~~
- ~~(20))~~ RCW 46.52.130 relating to confidentiality of the driving record to be furnished to an insurance company and an employer;
- ~~((21) RCW 46.52.210 relating to abandoned vehicles or hulks;~~
- ~~(22))~~ (20) Section 2 of this act relating to engaging in the activities of a registered low truck operator without a registration certificate;
- (21) RCW 46.61.015 relating to obedience to police officers, flagmen, or fire fighters;
- ~~((23))~~ (22) RCW 46.61.020 relating to refusal to give information to or cooperate with an officer;
- ~~((24))~~ (23) RCW 46.61.022 relating to failure to stop and give identification to an officer;
- ~~((25))~~ (24) RCW 46.61.024 relating to attempting to elude pursuing police vehicles;
- ~~((26))~~ (25) RCW 46.61.500 relating to reckless driving;
- ~~((27))~~ (26) RCW 46.61.502 and 46.61.504 relating to persons under the influence of intoxicating liquor or drugs;
- ~~((28))~~ (27) RCW 46.61.520 relating to vehicular homicide by motor vehicle;
- ~~((29))~~ (28) RCW 46.61.522 relating to vehicular assault;
- ~~((30))~~ (29) RCW 46.61.525 relating to negligent driving;
- ~~((31))~~ (30) RCW 46.61.530 relating to racing of vehicles on highways;
- ~~((32))~~ (31) RCW 46.61.685 relating to leaving children in an unattended vehicle with the motor running;
- ~~((33))~~ (32) RCW 46.64.010 relating to unlawful cancellation of or attempt to cancel a traffic citation;
- ~~((34))~~ (33) RCW 46.64.020 relating to nonappearance after a written promise;
- ~~((35))~~ (34) RCW 46.64.048 relating to attempting, aiding, abetting, coercing, and committing crimes;
- ~~((36))~~ (35) Chapter 46.65 RCW relating to habitual traffic offenders;
- ~~((37))~~ (36) Chapter 46.70 RCW relating to unfair motor vehicle business practices, except where that chapter provides for the assessment of monetary penalties of a civil nature;
- ~~((38))~~ (37) Chapter 46.72 RCW relating to the transportation of passengers in for hire vehicles;
- ~~((39))~~ (38) Chapter 46.80 RCW relating to motor vehicle wreckers;
- ~~((40))~~ (39) Chapter 46.82 RCW relating to driver's training schools.
- NEW SECTION. Sec. 29. The following acts or parts of acts are each repealed:
- (1) Section 3, chapter 42, Laws of 1969 ex. sess., section 7, chapter 178, Laws of 1979 ex. sess., section 2, chapter 185, Laws of 1981 and RCW 46.52.102;
- (2) Section 39, chapter 281, Laws of 1969 ex. sess., section 164, chapter 158, Laws of 1979, section 8, chapter 178, Laws of 1979 ex. sess. and RCW 46.52.104;
- (3) Section 4, chapter 42, Laws of 1969 ex. sess., section 40, chapter 281, Laws of 1969 ex. sess., section 9, chapter 178, Laws of 1979 ex. sess. and RCW 46.52.106;
- (4) Section 5, chapter 42, Laws of 1969 ex. sess., section 44, chapter 281, Laws of 1969 ex. sess., section 165, chapter 158, Laws of 1979, section 10, chapter 178, Laws of 1979 ex. sess. and RCW 46.52.108;
- (5) Section 4, chapter 148, Laws of 1980 and RCW 46.52.110;
- (6) Section 7, chapter 42, Laws of 1969 ex. sess., section 41, chapter 281, Laws of 1969 ex. sess., section 167, chapter 158, Laws of 1979, section 12, chapter 178, Laws of 1979 ex. sess., section 1, chapter 274, Laws of 1983 and RCW 46.52.111;
- (7) Section 8, chapter 42, Laws of 1969 ex. sess., section 42, chapter 281, Laws of 1969 ex. sess., section 168, chapter 158, Laws of 1979, section 13, chapter 178, Laws of 1979 ex. sess. and RCW 46.52.112;
- (8) Section 9, chapter 42, Laws of 1969 ex. sess., section 169, chapter 158, Laws of 1979, section 14, chapter 178, Laws of 1979 ex. sess. and RCW 46.52.113;
- (9) Section 10, chapter 42, Laws of 1969 ex. sess., section 15, chapter 178, Laws of 1979 ex. sess. and RCW 46.52.114;
- (10) Section 2, chapter 42, Laws of 1969 ex. sess., section 45, chapter 281, Laws of 1969 ex. sess., section 170, chapter 158, Laws of 1979, section 16, chapter 178, Laws of 1979 ex. sess. and RCW 46.52.115;
- (11) Section 11, chapter 42, Laws of 1969 ex. sess., section 171, chapter 158, Laws of 1979, section 17, chapter 178, Laws of 1979 ex. sess. and RCW 46.52.116;
- (12) Section 12, chapter 42, Laws of 1969 ex. sess., section 43, chapter 281, Laws of 1969 ex. sess., section 172, chapter 158, Laws of 1979 and RCW 46.52.117;



(13) Section 1, chapter 281, Laws of 1975 1st ex. sess., section 2, chapter 274, Laws of 1983 and RCW 46.52.118;

(14) Section 1, chapter 208, Laws of 1969 ex. sess., section 2, chapter 281, Laws of 1975 1st ex. sess. and RCW 46.52.119;

(15) Section 3, chapter 281, Laws of 1975 1st ex. sess., section 173, chapter 158, Laws of 1979 and RCW 46.52.1192;

(16) Section 4, chapter 281, Laws of 1975 1st ex. sess., section 3, chapter 274, Laws of 1983 and RCW 46.52.1194;

(17) Section 4, chapter 274, Laws of 1983 and RCW 46.52.1195;

(18) Section 5, chapter 281, Laws of 1975 1st ex. sess., section 5, chapter 274, Laws of 1983 and RCW 46.52.1196;

(19) Section 6, chapter 281, Laws of 1975 1st ex. sess. and RCW 46.52.1198;

(20) Section 1, chapter 111, Laws of 1971 ex. sess., section 18, chapter 178, Laws of 1979 ex. sess. and RCW 46.52.145;

(21) Section 2, chapter 111, Laws of 1971 ex. sess., section 174, chapter 158, Laws of 1979, section 19, chapter 178, Laws of 1979 ex. sess., section 6, chapter 274, Laws of 1983 and RCW 46.52.150;

(22) Section 3, chapter 111, Laws of 1971 ex. sess. and RCW 46.52.160; and

(23) Section 6, chapter 178, Laws of 1979 ex. sess. and RCW 46.52.210.

**NEW SECTION.** Sec. 30. The sum of four hundred twenty thousand dollars is appropriated from the motor vehicle fund for the biennium ending June 30, 1987, to carry out this act. Of this amount, one hundred fifty thousand dollars is for the department of licensing, and two hundred seventy thousand dollars is for the Washington state patrol.

**NEW SECTION.** Sec. 31. This act shall take effect on January 1, 1986."

Signed by Representatives Walk, Chair; Wineberry, Vice Chair; Baugher, Betzoff, Brough, Fisch, Fisher, Gallagher, Haugen, Kremen, Lundquist, McMullen, Patrick, Prince, C. Smith, Thomas, Valle, Van Luven, K. Wilson and Zellinsky.

Voting nay: Representative Tanner.

Absent: Representatives Hankins, Sutherland and J. Williams.

Passed to Committee on Rules for second reading.

March 28, 1985

**ESB 3612** Prime Sponsor, Senator Gaspard: Placing a two-year freeze on the excess levy lid reduction and studying excess levies. Reported by Committee on Education

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

Strike everything after the enacting clause and insert the following:

\*Sec. 1. Section 4, chapter 325, Laws of 1977 ex. sess. as last amended by section 1, chapter 168, Laws of 1981 and by section 10, chapter 264, Laws of 1981 and RCW 84.52.0531 are each reenacted and amended to read as follows:

The maximum dollar amount which may be levied by or for any school district for maintenance and operation support under the provisions of RCW 84.52.053 shall be as follows:

(1) For excess levies in ~~((1979))~~ 1985 for collection in ~~((1981, for excess levies in 1980 for collection in 1981))~~ 1986 and thereafter, the sum of:

(a) That amount equal to ten percent of each school district's prior year basic education allocation ~~((converted to one hundred percent of formula; plus~~

~~(b) That amount equal to each school district's prior year basic education allocation converted to one hundred percent of formula minus each school district's basic education allocation for such school year)); plus~~

~~((c))~~ (b) That amount equal to ten percent of each school district's prior year state allocation, exclusive of federal funds, for the following programs:

(i) Pupil transportation;

(ii) Handicapped education costs;

(iii) Gifted; and

(iv) Compensatory education, including but not limited to remediation assistance, bilingual education, and urban, rural, racial disadvantaged programs; plus

~~((c))~~ (c) In the case of nonhigh school districts only, an amount equal to the total estimated amount due by the nonhigh school district to high school districts pursuant to chapter 28A.44 RCW, as now or hereafter amended, for the school year during which collection of the levy is to commence, less the increase in the nonhigh school district's basic education allocation as computed pursuant to subsection ~~((f))~~ (d) of this section due to the inclusion of pupils participating in a program provided for in chapter 28A.44 RCW in such computation.

(2) Excess levies authorized under this section or under RCW 84.52.052 shall not be used directly or indirectly to increase the average salary or fringe benefits for certificated or classified personnel in any school district: PROVIDED, That any school district may expend excess

levy funds to provide increases in salary and fringe benefits for classified or certificated personnel whose salary and fringe benefits are provided wholly from local school district excess levies in a percentage not to exceed the respective average percentage increases in the salary and fringe benefit levels for classified and certificated employees of the district funded with state appropriated funds: PROVIDED FURTHER, That those contracts which have been negotiated prior to July 1, 1977 by those school districts for such school year shall not be abrogated by this section. 'Fringe benefits' for purposes of this subsection shall include:

(a) Employer retirement contributions, if applicable;

(b) Health and insurance payments including life, accident, disability, unemployment compensation, and workmen's compensation; and

(c) Employer social security contributions.

(3) Any school district whose average base compensation for certificated or classified personnel respectively is below state-wide average base compensation level for certificated or classified personnel during the preceding school year, may collect and expend property taxes authorized by this section, or under RCW 84.52.052, for the purpose of increasing such district's average compensation for certificated or classified personnel as allowed in the latest applicable state operating budget. 'Compensation', for purposes of this subsection, shall mean salary plus fringe benefits for classified and certificated personnel of a school district as allowed in the latest applicable state operating budget.

(4) For the purpose of this section, the basic education allocation shall be determined pursuant to RCW 28A.41.130, 28A.41.140, and 28A.41.145, as now or hereafter amended: PROVIDED, That when determining the basic education allocation under subsection (1) of this section, effective September 1, 1979, nonresident full time equivalent pupils who are participating in a program provided for in chapter 28A.44 RCW or in any other program pursuant to an interdistrict agreement shall be included in the enrollment of the resident district and excluded from the enrollment of the serving district.

Certificated personnel shall include those persons employed by a school district in a teaching, instructional, administrative or supervisory capacity and who hold positions as certificated personnel as defined under RCW 28A.01.130, as now or hereafter amended, and every school district superintendent, and any person hired in any manner to fill a position designated as, or which is in fact, that of deputy superintendent or assistant superintendent. Classified personnel shall include those persons employed by a school district other than certificated personnel as defined in this section in a capacity for which certification is not required.

(5) Any district (~~which is qualified to exceed the maximum dollar amount permitted under subsection (1) of this section during calendar year 1982~~) is authorized to exceed the levy limitations imposed by subsection (1) for taxes to be collected during calendar years ~~((1983)) 1985 through ((1990)) 1993~~ as follows:

(a) ~~((The dollar amount of levy qualification for taxes to be collected in 1983 shall be the same as the maximum qualification for 1982.~~

~~((b) For every district which qualifies to exceed the limitations in subsection (1) of this section during calendar year 1982, a base year levy percentage shall be established. This levy percentage shall be equal to the percent a district's levy qualification during calendar year 1982 is of the prior 1980-81 school fiscal year's basic education allocation and state allocation for categorical programs)) For excess levies to be collected in calendar years 1986, 1987, and 1988, a base year levy percentage shall be established. The base year levy percentage shall be equal to the greater of: (i) The district's actual levy percentage for calendar year 1985, (ii) the average levy percentage for all school district levies in the state in calendar year 1985, or (iii) the average levy percentage for all school district levies in the educational service district of the district in calendar year 1985.~~

~~((c)) (b) The base year levy percentage established in (a) of this subsection shall be reduced in even increments beginning in calendar year ((1984)) 1989. The incremental reduction shall equal ((one seventh)) one-fifth of the percentage points the base year levy percentage exceeds the amount authorized in subsection (1) of this section.~~

~~((d)) (c) For excess levies to be collected in calendar year ((1990)) 1993, the maximum dollar amount which may be levied by or for any school district shall not exceed the amount authorized in subsection (1) of this section. The provisions of this subsection shall not apply to excess levies to be collected after calendar year ((1990)) 1993.~~

~~((e) (For the purpose of subsection (1) of this section, the superintendent of public instruction may grant local school districts authority to exceed the levy limitations imposed by said subsections: PROVIDED, That said limitations can only be exceeded by an amount that will insure local school districts the ability to raise a total excess levy dollar amount per annual average full time equivalent student which when combined with the basic education allocation is equal to but does not exceed one hundred and six percent for levies to be collected in 1980 and thereafter of the previous school year's comparable dollars per annual average full time equivalent student: PROVIDED FURTHER, That for levies to be collected in 1980 and thereafter any school district receiving authority to exceed the levy limitation and whose enrollment is declining at a rate of at least four percent, or three hundred full time equivalent students; whichever is less, from the immediately preceding school year, may, in addition to the~~

increase above, further increase its levy by an amount equal to fifty percent of the enrollment decline multiplied by the previous school year's comparable dollars per annual full-time equivalent student. The provisions of this subsection (6) shall only apply to excess levies for collection prior to calendar year 1983.

(7)) The superintendent of public instruction shall develop rules and regulations and inform school districts of the pertinent data necessary to carry out the provisions of this section.

**NEW SECTION, Sec. 2.** (1) The legislature recognizes the importance of a strong educational system to individual development, the health of the community, and to the quality of life in the state as a whole. To assure the continuance of a strong educational system, it is necessary to clarify the definition of basic education and review and analyze methods for funding the common schools. To address these needs, the legislature hereby creates a joint select committee on school funding to review and analyze current and alternative methods of funding education.

(2) The joint select committee on school funding, in consultation with the superintendent of public instruction, state board of education, school administration and employee organizations, and members of community and business organizations involved with education issues, shall review and make recommendations on funding issues including the following:

(a) Focusing on instructional resources and actual class size as the major components of the basic education allocation formula;

(b) Effectiveness of the excess levy as mechanism for funding;

(c) Alternate methods of funding;

(d) Methods for equalizing funding between districts; and

(e) How school districts are expending income from all sources.

School districts shall provide any information requested by the joint select committee on school funding in a timely manner.

(3) The committee shall consist of fourteen voting members:

(a) Three members from each caucus of the house of representatives, selected by the speaker of the house of representatives; at least one member of each caucus shall be a member of the house education committee and at least one member of each caucus shall be a member of the house ways and means committee;

(b) Three members from each caucus of the senate, selected by the president of the senate; at least one member of each caucus shall be a member of the senate education committee and at least one member of each caucus shall be a member of the senate ways and means committee; and

(c) The chairman of the house education committee and the chairman of the senate education committee.

(4) The committee will use legislative staff and facilities, but may hire additional staff with specific technical expertise, if such expertise is necessary to carry out this directive. All expenses shall be paid jointly by the house of representatives and the senate.

(5) The committee shall report its findings and recommendations to the governor and the legislature by the commencement of the 1986 regular session of the legislature. The committee shall cease to exist on April 1, 1986.

**NEW SECTION, Sec. 3.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

**NEW SECTION, Sec. 4.** This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 1 of the title, after "levies;" strike the remainder of the title and insert "reenacting and amending RCW 84.52.0531; creating a new section; and declaring an emergency."

Signed by Representatives Ebersole, Chair; Valle, Vice Chair; Appelwick, Chandler, Cole, P. King, Long, Peery, Rayburn, Rust, Schoon, L. Smith, Todd and Wang.

MINORITY recommendation: Do not pass. Signed by Representatives Betrozoff and Holland.

Absent: Representatives Taylor and Walker.

Referred to Committee on Ways & Means.

March 28, 1985

ESSB 3621 Prime Sponsor, Committee on Education: Providing a career ladder for teachers. Reported by Committee on Education

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 21 strike "shall" and insert "should"

On page 1, line 26 after "compensation" strike "and" and insert " ; "

On page 1, line 26 after "evaluation" insert " , and training of evaluators"

On page 13, line 29 after "system" insert "and the training of evaluators"

Signed by Representatives Ebersole, Chair; Valle, Vice Chair; Appelwick, Betzoff, Chandler, Cole, Holland, P. King, Long, Peery, Rayburn, Rust, Schoon, L. Smith, Todd and Wang.

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

Absent: Representatives Taylor and Walker.

Referred to Committee on Ways & Means.

March 29, 1985

SB 3826 Prime Sponsor, Senator Garrett: Modifying provisions on local government finances. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Allen, Bristow, Brough, Doty, Ebersole, Hine, Isaacson, May, Patrick, Rayburn, Smitherman and Zellinsky.

Absent: Representative Smitherman.

Passed to Committee on Rules for second reading.

March 29, 1985

ESB 3854 Prime Sponsor, Senator Rinehart: Permitting ongoing absentee voters. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 29.36.010, chapter 9, Laws of 1965 as last amended by section 1, chapter 27, Laws of 1984 and RCW 29.36.010 are each amended to read as follows:

Any duly registered voter may vote an absentee ballot for any primary or election in the manner provided in this chapter.

(1) Except as provided in subsections (2) and (3) of this section and section 2 of this 1985 act, a registered voter desiring to cast an absentee ballot must apply in writing to his or her county auditor no earlier than forty-five days nor later than the day (~~(prior to)~~) before any election or primary (~~(-PROVIDED-That)~~).

(2) An application honored for a primary ballot shall also be honored as an application for a ballot for the following general election if the voter so indicates on his or her application (~~(-PROVIDED-FURTHER-That)~~).

(3) A voter admitted to a hospital no earlier than five days before a primary or election and confined to the hospital on election day may apply by messenger for an absentee ballot on the day of the primary or election if a signed statement from the hospital administrator, or designee, verifying the voter's date of admission and status as a patient in the hospital on the day of the primary or election is attached to the absentee ballot application.

(4) Such applications must contain the voter's signature and may be made in person (~~(or)~~), by mail, or messenger (~~(-PROVIDED-That no)~~). An application for an absentee ballot shall not be approved unless the voter's signature upon the application compares favorably with the voter's signature upon his (~~(permanent)~~) or her registration record.

NEW SECTION, Sec. 2. A new section is added to chapter 29.36 RCW to read as follows:

Any disabled voter or any voter over the age of sixty-five may apply, in writing, for status as an ongoing absentee voter. Each such voter shall be granted that status by his or her county auditor and shall automatically receive an absentee ballot for each ensuing election for which he or she is entitled to vote and need not submit a separate application for each election. Ballots received from ongoing absentee voters shall be validated, processed, and tabulated in the same manner as other absentee ballots.

Status as an ongoing absentee voter shall be terminated upon any of the following events:

- (1) The written request of the voter;
- (2) The death or disqualification of the voter;
- (3) The cancellation of the voter's registration record;
- (4) The return of an ongoing absentee ballot as undeliverable; or
- (5) January 1st of each odd-numbered year.

A disabled voter is defined as a voter qualifying for special parking privileges under RCW 46.16.381(1).

NEW SECTION, Sec. 3. A new section is added to chapter 29.36 RCW to read as follows:

As soon as practical following the first day of January of each odd-numbered year, the county auditor shall notify each ongoing absentee voter of the termination of his or her status as such a voter under section 2(5) of this act. Included with this notice shall be a postage pre-paid return form permitting any such voter to renew his or her status as an ongoing absentee voter. Upon receipt and signature verification of the renewal form, the county auditor shall

continue to provide absentee ballots to such voters, subject to the provisions of section 2 of this act."

Signed by Representatives Fisher, Chair; Leonard, Vice Chair; Barnes, Day, Fisch, Madsen, Nealey, Sommers and Walker.

Absent: Representatives Barrett and Miller.

Passed to Committee on Rules for second reading.

March 28, 1985

ESSB 4118 Prime Sponsor, Committee on Education: Planning and implementing a school administrators' academy. Reported by Committee on Education

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 9 strike "and implement" and insert "a plan for"

On page 1, line 18 strike "academy director to serve as staff director for the academy and" and insert "individual to serve as"

On page 1, after line 28 insert "(2) Proper use of employee evaluation systems;"

Signed by Representatives Ebersole, Chair, Valle, Vice Chair; Appelwick, Betzoff, Cole, Holland, Long, Peery, Rayburn, Rust, Schoon, Todd, Walker and Wang.

Absent: Representatives Chandler, Fuhrman, P. King and Taylor.

Referred to Committee on Ways & Means.

March 28, 1985

SSB 4128 Prime Sponsor, Committee on Human Services & Corrections: Revising the authority of the corrections standards board. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass. Signed by Representatives Brekke, Chair; Day, Vice Chair; Armstrong, Brooks, Dellwo, Leonard, Lewis, Scott, West and Winsley.

Absent: Representatives Ballard, Braddock, Dobbs, Lux, Padden, Tanner and S. Wilson.

Passed to Committee on Rules for second reading.

March 28, 1985

SB 4129 Prime Sponsor, Senator McCaslin: Revising certain work-release provisions. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass. Signed by Representatives Brekke, Chair; Day, Vice Chair; Armstrong, Brooks, Dellwo, Leonard, Lewis, Scott, West and Winsley.

Absent: Representatives Ballard, Braddock, Dobbs, Lux, Padden, Tanner and S. Wilson.

Passed to Committee on Rules for second reading.

March 28, 1985

SSB 4229 Prime Sponsor, Committee on Human Services & Corrections: Providing that juveniles not be confined in adult jail or holding facilities. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass. Signed by Representatives Brekke, Chair; Day, Vice Chair; Armstrong, Braddock, Brooks, Dellwo, Leonard, Lewis, Scott, West and Winsley.

Absent: Representatives Ballard, Dobbs, Lux, Padden, Tanner and S. Wilson.

Passed to Committee on Rules for second reading.

March 29, 1985

ESSJR 103 Prime Sponsor, Committee on Governmental Operations: Establishing procedures for the adoption of county home rule charters. Reported by Committee on Local Government

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 16 after "records," strike "Each charter shall clearly indicate that the State of Washington retains the right to pass preemptive legislation superseding all conflicting local ordinances."

Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Allen, Brough, Doty, Ebersole, Hine, Isaacson, May, Rayburn, Smitherman and Zellinsky.

Voting nay: Representatives Patrick and Winsley.

Passed to Committee on Rules for second reading.

#### SECOND READING

SENATE BILL NO. 3312, by Senators Thompson and Zimmerman

Including municipal corporations as "public agencies."

The bill was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3312, and the bill passed the House by the following vote: Yeas, 93; absent, 3; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Todd, Unsoeld, Valle, van Dyke, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Absent: Representatives Lundquist, Sanders, Van Luven - 3.

Excused: Representatives Isaacson, Tilly - 2.

Senate Bill No. 3312, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### STATEMENT FOR THE JOURNAL

It was my intent to vote in favor of Senate Bill No. 3312.

PAUL SANDERS, 48th District.

SENATE BILL NO. 3576, by Senators Hansen, Barr, Goltz and Newhouse

Revising provisions relating to the Lake Osoyoos water project.

The bill was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3576, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Isaacson, Tilly - 2.

Senate Bill No. 3576, having received the 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. 4121, by Senators Hansen and Barr

Enabling legislation authorizing expenditures by agricultural commodity commissions for agricultural development or trade promotion and promotional hosting.

The bill was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Vekich and Nealey spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4121, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Isaacson, Tilly - 2.

Senate Bill No. 4121, having received the 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. 4122, by Senators Hansen, Barr and Bailey; by Department of Agriculture request

Modifying requirements for the contents of flour and bread.

The bill was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Vekich and Nealey spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4122, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Isaacson, Tilly - 2.

Senate Bill No. 4122, having received the 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. 4169, by Senators McDermott, Zimmerman and Gaspard

Extending the Thomas Burke Memorial Washington State Museum of the University of Washington.

The bill was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Sommers spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4169, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Isaacson, Tilly - 2.

Engrossed Senate Bill No. 4169, having received the 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. 3068, by Committee on Transportation (originally sponsored by Senators Thompson, Barr and Peterson)

Providing for a special movement permit decal for mobile homes.

The bill was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Walk spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3068, and the bill passed the House by the following vote: Yeas, 95; nays, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representative Baugher - 1.

Excused: Representatives Isaacson, Tilly - 2.

Substitute Senate Bill No. 3068, having received the 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. 3070, by Senators Vognild, Zimmerman and Conner

Revising the record keeping requirements for the county auditor.

The bill was read the second time.

Mr. Sanders moved adoption of the following amendments by Representatives Sanders, Isaacson, Patrick, Bristow, Smitherman and May:

On page 1, line 17 before "County" insert "(1) Except as provided in subsection (2)."

On page 2, after line 35 insert the following:



"(2) County auditors in class AA counties shall collect the fees that were in effect prior to the effective date of this 1985 act."

Representatives Sanders and Patrick spoke in favor of the amendments, and Representatives Haugen and Appelwick spoke against them.

A division was called.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Sanders and others to Senate Bill No. 3070, and the amendments were not adopted by the following vote: Yeas, 42; nays, 54; excused, 2.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Bristow, Brooks, Chandler, Dobbs, Doty, Ebersole, Fuhrman, Hankins, Hastings, Holland, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Peery, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Sutherland, Taylor, Thomas, Van Luven, Walker, Williams B, Williams J, Wilson S - 42.

Voting nay: Representatives Allen, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Brough, Cole, Crane, Day, Dellwo, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Rayburn, Rust, Sayan, Scott, Sommers, Tanner, Todd, Unsoeld, Valle, van Dyke, Vander Stoep, Vekich, Walk, Wang, West, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 54.

Excused: Representatives Isaacson, Tilly - 2.

Mr. Sanders moved adoption of the following amendment:

On page 1, after line 16 strike all material down to and including "services:" on line 18 and insert "((County auditors shall collect the following fees for their official services:)) The county legislative authority may set the fees that county auditors shall collect for their services: PROVIDED, That the fees may not exceed the following amounts:"

Representatives Sanders and Addison spoke in favor of the amendment, and Representatives Haugen, Locke and Armstrong spoke against it.

Mr. Sanders spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Sanders to page 1, line 16 of Senate Bill No. 3070, and the amendment was not adopted by the following vote: Yeas, 30; nays, 66; excused, 2.

Voting yea: Representatives Addison, Barnes, Barrett, Bond, Brooks, Chandler, Dobbs, Ebersole, Fuhrman, Hankins, Hastings, Holland, King P, Long, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Silver, Smith C, Thomas, van Dyke, Van Luven, Walker, Williams B, Williams J, Wilson S, Zellinsky - 30.

Voting nay: Representatives Allen, Appelwick, Armstrong, Ballard, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brough, Cole, Crane, Day, Dellwo, Doty, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King R, Kremen, Leonard, Lewis, Locke, Lundquist, Lux, Madsen, May, McMullen, Miller, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Todd, Unsoeld, Valle, Vander Stoep, Vekich, Walk, Wang, West, Wilson K, Wineberry, Winsley, and Mr. Speaker - 66.

Excused: Representatives Isaacson, Tilly - 2.

Mr. Sayan moved adoption of the following amendment:

On page 10, after line 5, insert the following:

"Sec. 19. Section 1, chapter 16, Laws of 1949 as last amended by section 1, chapter 84, Laws of 1984 and RCW 73.04.120 are each amended to read as follows:

County clerks and county auditors, respectively, are authorized and directed to furnish free of charge to the legal representative, surviving spouse, child or parent of any deceased veteran certified copies of marriage certificates, decrees of divorce or annulment, or other documents contained in their files and to record and issue, free of charge, certified copies of such documents from other states, territories, or foreign countries affecting the marital status of such veteran whenever any such document shall be required in connection with any claim pending before the United States veterans' bureau or other governmental agency administering benefits to war veterans. Where these same documents are required of service personnel of the armed forces of the United States for determining entitlement to family allowances and other benefits, they shall be provided without charge by county clerks and county auditors upon request of the person in the service or his dependents."

Renumber the remaining sections consecutively.

Representatives Sayan and Barrett spoke in favor of the amendment, and Ms. Haugen spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Sayan to Senate Bill No. 3070, and the amendment was adopted by the following vote: Yeas, 76; nays, 20; excused, 2.

Voting yea: Representatives Addison, Appelwick, Armstrong, Ballard, Barrett, Basich, Baugher, Belcher, Betrozoff, Brekke, Bristow, Brooks, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Hastings, Holland, King P, King R, Lewis, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nelson G, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sutherland, Tanner, Taylor, Thomas, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky - 76.

Voting nay: Representatives Allen, Barnes, Bond, Braddock, Brough, Fuhrman, Haugen, Hine, Jacobsen, King J, Kremen, Leonard, Lundquist, Nealey, Nelson D, Niemi, Nutley, Sanders, Sommers, and Mr. Speaker - 20.

Excused: Representatives Isaacson, Tilly - 2.

On motion of Ms. Haugen, the following amendment to the title of the bill was adopted:

On page 1, line 4 of the title after "65.04.060," insert "73. 04.120."

On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Haugen spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3070 as amended by the House, and the bill passed the House by the following vote: Yeas, 88; nays, 8; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Basich, Baugher, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 88.

Voting nay: Representatives Barnes, Bond, Chandler, Lundquist, Padden, Patrick, Sanders, West - 8.

Excused: Representatives Isaacson, Tilly - 2.

Senate Bill No. 3070 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. J. King, the House was adjourned until 10:00 a.m., Wednesday, April 3, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk

## EIGHTIETH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, April 3, 1985.

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Tilly, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Shannon Smitherman and Michelle Belle. Prayer was offered by Reverend Leslie L. Kreber of Wenatchee.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

## MESSAGE FROM THE GOVERNOR

April 2, 1985

To the Honorable,  
The House of Representatives  
State of Washington  
Ladies and Gentlemen:

I am returning herewith, without my approval as to section 502(5)(g), ENGROSSED SUBSTITUTE HOUSE BILL NO. 386, entitled:

"AN ACT Relating to state agencies."

The section I have vetoed was designed to correct a specific problem in one school district. Since legislative action on ESHB 386, it has come to my attention that the language may do more than intended.

The vetoed language involved complex contracting situations. Retaining the language could cause confusion among local bargaining units and administrators.

I believe the problem raised by this issue deserves a solution. I will work with the legislature during the interim to find an appropriate one.

Respectfully submitted,  
BOOTH GARDNER,  
Governor.

## MESSAGES FROM THE SENATE

April 1, 1985

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 3047,  
SENATE BILL NO. 3072,  
SENATE BILL NO. 3073,  
SENATE BILL NO. 3076,  
SENATE BILL NO. 3079,  
SENATE BILL NO. 3121,  
SENATE BILL NO. 3144,  
SENATE BILL NO. 3551,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 2, 1985

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 3068,  
 SENATE BILL NO. 3312,  
 SENATE BILL NO. 3576,  
 SENATE BILL NO. 4121,  
 SENATE BILL NO. 4122,  
 SENATE BILL NO. 4169.

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## REPORTS OF STANDING COMMITTEES

March 29, 1985

SSB 3015 Prime Sponsor, Committee on Commerce & Labor: Exempting dealers of certain used items from the requirements for second-hand dealers. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Betrozoff, Chandler, Ebersole, Fisch, Fisher, R. King, O'Brien, Patrick, Sayan, C. Smith, Walker and J. Williams.

Absent: Representative C. Smith.

Passed to Committee on Rules for second reading.

April 2, 1985

SSB 3069 Prime Sponsor, Committee on Human Services & Corrections: Providing that licensed health care professionals may organize nonprofit non-stock corporations. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

\*39 A new section is added to chapter 18.100 RCW to read as follows:

This chapter does not apply to a nonprofit corporation organized to provide professional services under chapter 24.03 RCW. Such a nonprofit corporation, however, may employ an individual or group of individuals incorporated pursuant to this chapter.

NEW SECTION. Sec. 2. A new section is added to chapter 24.03 to read as follows:

(1) Notwithstanding that chapter 18.100 RCW does not apply to such a corporation, a corporation organized under this chapter may provide professional services to the public.

(2) No corporation organized under this chapter may render professional services except through individuals who are duly licensed or otherwise legally authorized to render such professional services with this state. Nothing in this section, however, shall be interpreted to require the licensing of administrators, clerks, secretaries, bookkeepers, technicians, and other assistants employed by a professional corporation who are not usually and ordinarily considered by custom and practice to be rendering professional services to the public for which a license or other legal authorization is required.

(3) Nothing contained in this chapter shall be interpreted to abolish, repeal, modify, restrict or limit the law now in effect in this state applicable to the professional relationship and liabilities between the person furnishing the professional services and the person receiving such professional service and the standards for professional conduct or licensing.

Sec. 3. Section 6, chapter 196, Laws of 1979 ex. sess. as last amended by section 1, chapter 66, Laws of 1983 1st ex. sess. and RCW 82.04.431 are each amended to read as follows:

(1) For the purposes of RCW 82.04.4297, the term 'health or social welfare organization' means an organization, including any community action council, which renders health or social welfare services as defined in subsection (2) of this section, which is a not-for-profit corporation under chapter 24.03 RCW and which is managed by a governing board of not less than eight individuals none of whom is a paid employee of the organization or which is a corporation sole under chapter 24.12 RCW. Health or social welfare organization does not include a corporation providing professional services as authorized in section 2 of this 1985 act. In addition a corporation in order to be exempt under RCW 82.04.4297 shall satisfy the following conditions:

(a) No part of its income may be paid directly or indirectly to its members, stockholders, officers, directors, or trustees except in the form of services rendered by the corporation in accordance with its purposes and bylaws;

(b) Salary or compensation paid to its officers and executives must be only for actual services rendered, and at levels comparable to the salary or compensation of like positions within the public service of the state;

(c) Assets of the corporation must be irrevocably dedicated to the activities for which the exemption is granted and, on the liquidation, dissolution, or abandonment by the corporation, may not inure directly or indirectly to the benefit of any member or individual except a non-profit organization, association, or corporation which also would be entitled to the exemption;

(d) The corporation must be duly licensed or certified where licensing or certification is required by law or regulation;

(e) The amounts received qualifying for exemption must be used for the activities for which the exemption is granted;

(f) Services must be available regardless of race, color, national origin, or ancestry; and

(g) The director of revenue shall have access to its books in order to determine whether the corporation is exempt from taxes within the intent of RCW 82.04.4297 and this section.

(2) The term 'health or social welfare services' includes and is limited to:

(a) Mental health, drug, or alcoholism counseling or treatment;

(b) Family counseling;

(c) Health care services;

(d) Therapeutic, diagnostic, rehabilitative, or restorative services for the care of the sick, aged, or physically, developmentally, or emotionally-disabled individuals;

(e) Activities which are for the purpose of preventing or ameliorating juvenile delinquency or child abuse, including recreational activities for those purposes;

(f) Care of orphans or foster children;

(g) Day care of children;

(h) Employment development, training, and placement;

(i) Legal services to the indigent;

(j) Weatherization assistance or minor home repair for low-income homeowners or renters;

(k) Assistance to low-income homeowners and renters to offset the cost of home heating energy, through direct benefits to eligible households or to fuel vendors on behalf of eligible households; and

(l) Community services to low-income individuals, families, and groups, which are designed to have a measurable and potentially major impact on causes of poverty in communities of the state."

On page 1, line 1 of the title after "corporations;" strike everything through "18.100.134" on line 2 and insert "amending RCW 82.04.431; adding a new section to chapter 18.100 RCW; and adding a new section to chapter 24.03 RCW"

Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, Lewis, G. Nelson, Schmidt, Schoon, Van Luven and Wang.

MINORITY recommendation: Do not pass. Signed by Representatives Locke, Niemi and West.

Absent: Representatives Padden and Tilly.

Passed to Committee on Rules for second reading.

April 1, 1985

SB 3081 Prime Sponsor, Senator Warnke: Authorizing reciprocal agreements with other states to collect claims payable to the department of labor and industries. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Betzoff, Chandler, Ebersole, Fisch, Fisher, R. King, O'Brien, Patrick, Sayan, C. Smith, Walker and J. Williams.

Passed to Committee on Rules for second reading.

April 1, 1985

SB 3140 Prime Sponsor, Senator Patterson: Modifying charges for higher education students taking two or fewer credit hours or more than eighteen credit hours. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Jacobsen, Vice Chair; Allen, Basich, Belcher, Hastings, Miller, G. Nelson, Prince, Unsoeld and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Silver and K. Wilson.

Voting nay: Representatives Sommers, Chair; D. Nelson, Silver, Vander Stoep and K. Wilson.

Referred to Committee on Ways & Means.

April 1, 1985

SSB 3175 Prime Sponsor, Committee on Human Services & Corrections: Regulating removal and possession of commercial quantities of shellfish. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass. Signed by Representatives Brekke, Chair; Day, Vice Chair; Armstrong, Ballard, Brooks, Leonard, Lewis, Scott and Winsley.

Voting nay: Representatives Dobbs and West.

Absent: Representatives Braddock, Dellwo, Lux, Padden, Tanner, S. Wilson.

Passed to Committee on Rules for second reading.

April 1, 1985

SSB 3207 Prime Sponsor, Committee on Human Services & Corrections: Providing for prison work programs. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass. Signed by Representatives Brekke, Chair; Day, Vice Chair; Armstrong, Ballard, Braddock, Brooks, Dellwo, Leonard, Padden, Scott, West and Winsley.

Voting nay: Representative Lewis.

Absent: Representatives Dobbs, Lux, Tanner and S. Wilson.

Passed to Committee on Rules for second reading.

March 29, 1985

ESB 3230 Prime Sponsor, Senator Talmadge: Strengthening and clarifying laws against driving while intoxicated. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

\*Sec. 1. Section 62, chapter 155, Laws of 1965 ex. sess. as last amended by section 328, chapter 258, Laws of 1984 and RCW 46.61.515 are each amended to read as follows:

(1) Every person who is convicted of a violation of RCW 46.61.502 or 46.61.504 shall be punished by imprisonment for not less than twenty-four consecutive hours nor more than one year, and by a fine of not more than ~~((seven hundred fifty))~~ one thousand dollars. Twenty-four consecutive hours of the jail sentence shall not be suspended or deferred unless the judge finds that the imposition of the jail sentence will pose a risk to the defendant's physical or mental well-being. Whenever the mandatory jail sentence is suspended or deferred, the judge must state, in writing, the reason for granting the suspension or deferral and the facts upon which the suspension or deferral is based. The court may impose conditions of probation that may include nonrepetition, alcohol or drug treatment, supervised probation, or other conditions that may be appropriate. The convicted person shall, in addition, be required to complete a course in an alcohol information school approved by the department of social and health services or more intensive treatment in a program approved by the department of social and health services, as determined by the court. A diagnostic evaluation and treatment recommendation shall be prepared under the direction of the court by an alcoholism agency approved by the department of social and health services or a qualified probation department approved by the department of social and health services. A copy of the report shall be forwarded to the department of licensing. Based on the diagnostic evaluation, the court shall determine whether the convicted person shall be required to complete a course in an alcohol information school approved by the department of social and health services or more intensive treatment in a program approved by the department of social and health services. Standards for approval for alcohol treatment programs shall be prescribed by rule under the administrative procedure act, chapter 34.04 RCW. The courts shall periodically review the costs of alcohol information schools and treatment programs within their jurisdictions.

(2) On a second or subsequent conviction for driving or being in physical control of a motor vehicle while under the influence of intoxicating liquor or drugs within a five-year period a person shall be punished by imprisonment for not less than seven days nor more than one year and by a fine of not more than ~~((one))~~ two thousand ~~((five hundred))~~ dollars. District courts and courts organized under chapter 35.20 RCW are authorized to impose such fine. The jail sentence shall not be suspended or deferred unless the judge finds that the imposition of the jail sentence will pose a risk to the defendant's physical or mental well-being. Whenever the

mandatory jail sentence is suspended or deferred, the judge must state, in writing, the reason for granting the suspension or deferral and the facts upon which the suspension or deferral is based. If, at the time of a second or subsequent conviction, the driver is without a license or permit because of a previous suspension or revocation, the minimum mandatory sentence shall be ninety days in jail and a two hundred dollar fine. The penalty so imposed shall not be suspended or deferred. The person shall, in addition, be required to complete a diagnostic evaluation by an alcoholism agency approved by the department of social and health services or a qualified probation department approved by the department of social and health services. The report shall be forwarded to the department of licensing. If the person is found to have an alcohol or drug problem requiring treatment, the person shall complete treatment at an approved alcoholism treatment facility or approved drug treatment center.

In addition to any nonsuspendable and nondeferable jail sentence required by this subsection, the court shall sentence a person to a term of imprisonment not exceeding one hundred eighty days and shall suspend but shall not defer the sentence for a period not exceeding two years. The suspension of the sentence may be conditioned upon nonrepetition, alcohol or drug treatment, supervised probation, or other conditions that may be appropriate. The sentence may be imposed in whole or in part upon violation of a condition of suspension during the suspension period.

(3) The license or permit to drive or any nonresident privilege of any person convicted of driving or being in physical control of a motor vehicle while under the influence of intoxicating liquor or drugs shall:

(a) On the first conviction under either offense, be suspended by the department until the person reaches age nineteen or for ninety days, whichever is longer. The department of licensing shall determine the person's eligibility for licensing based upon the reports provided by the designated alcoholism agency or probation department and shall deny reinstatement until enrollment and participation in an approved program has been established and the person is otherwise qualified;

(b) On a second conviction under either offense within a five-year period, be revoked by the department for one year. The department of licensing shall determine the person's eligibility for licensing based upon the reports provided by the designated alcoholism agency or probation department and shall deny reinstatement until satisfactory progress in an approved program has been established and the person is otherwise qualified;

(c) On a third or subsequent conviction of driving or being in physical control of a motor vehicle while under the influence of intoxicating liquor or drugs, vehicular homicide, or vehicular assault, or any combination thereof within a five-year period, be revoked by the department for two years.

(4) In any case provided for in this section, where a driver's license is to be revoked or suspended, the revocation or suspension shall be stayed and shall not take effect until after the determination of any appeal from the conviction which may lawfully be taken, but in case the conviction is sustained on appeal the revocation or suspension takes effect as of the date that the conviction becomes effective for other purposes.

Sec. 2, Section 2, chapter 219, Laws of 1984 and RCW 46.20.599 are each amended to read as follows:

(1) Whenever any person is arrested for a violation of RCW 46.61.502 or 46.61.504, the arresting officer shall, at the time of arrest, confiscate the person's Washington state license or permit to drive, if any, and issue a temporary license to replace any confiscated license or permit.

(2) Within twenty-four hours of the arrest, the arresting officer shall transmit any confiscated license or permit to the department with a report indicating the date and location of the arrest.

(3) Any temporary license issued under this section shall be dated with the same expiration date as the confiscated license or permit. A temporary license shall be valid only until the sooner of:

(a) Its expiration date; or

(b) The suspension, revocation, or denial by judicial or administrative action for any reason of the license, permit, or privilege to drive of the person holding the temporary license.

(4) The department shall return, replace, or authorize renewal of any confiscated license or permit that has not been suspended or revoked for any reason upon notification:

(a) By the law enforcement agency that made the arrest that a charge has not been filed for the offense for which the license or permit was confiscated;

(b) By the prosecuting authority of the jurisdiction in which the offense occurred that the charge has been dropped or changed to other than one for which confiscation is required under this section; or

(c) By the court in which the case has been or was to be heard that prosecution on the charge has been deferred, that the charge has been dismissed, or that the person charged has been found not guilty of the charge; or

(d) By a court that the person has been convicted of the offense for which the license or permit was confiscated, but the suspension or revocation of the license or permit has been stayed pending appeal of the conviction.

(5) If a temporary license issued under this section expires before the department receives notification under subsection (4) of this section, the department shall authorize the driver to seek renewal of the license. If the driver is qualified for renewal, the department shall issue a new temporary license with the same expiration date as the driver would have received had his or her license or permit not been confiscated.

(6) Upon receipt of a returned or replaced confiscated license from the department, the driver shall return any temporary license in his or her possession or shall sign an affidavit that the temporary license has been lost, stolen, or destroyed.

(7) No temporary license issued under this section is valid to any greater degree than the confiscated license or permit that it replaces.

(8) The department shall provide courts and law enforcement agencies with the appropriate temporary license and notice forms for use under this section.

~~((9) This section shall expire on December 31, 1985.))~~

**NEW SECTION.** Sec. 3. The legislature finds that the deferred prosecution program is an alternative to punishment for persons who will benefit from a treatment program if the treatment program is provided under circumstances that do not unreasonably endanger public safety or the traditional goals of the criminal justice system. This alternative to punishment is dependent for success upon appropriate treatment and the willingness and ability of the person receiving treatment to cooperate fully with the treatment program. The legislature finds that some persons have sought deferred prosecution but have been unable or unwilling to cooperate with treatment requirements and escaped punishment because of the difficulties in resuming prosecution after significant delay due to the absence of witnesses at a later date and the congestion in courts at a later date. The legislature further finds that the deferred prosecution statutes require clarification. The purpose of sections 4 through 19 of this act is to provide specific standards and procedures for judges and prosecutors to use in carrying out the original intent of the deferred prosecution statutes.

Sec. 4. Section 1, chapter 244, Laws of 1975 1st ex. sess. as amended by section 26, chapter 47, Laws of 1982 1st ex. sess. and RCW 10.05.010 are each amended to read as follows:

~~((Upon arraignment))~~ In a court of limited jurisdiction a person charged with a misdemeanor or gross misdemeanor may petition the court to be considered for a deferred prosecution program. The petition shall be filed with the court at least seven days before the date set for trial but, upon a written motion and affidavit establishing good cause for the delay and failure to comply with this section, the court may waive this requirement subject to the defendant's reimbursement to the court of the witness fees and expenses due for subpoenaed witnesses who have appeared on the date set for trial.

A person charged with a traffic infraction, misdemeanor, or gross misdemeanor under Title 46 RCW shall not be eligible for a deferred prosecution program unless the court makes specific findings pursuant to RCW 10.05.020. Such person shall not be eligible for a deferred prosecution program more than once in any five-year period. Separate offenses committed more than seven days apart may not be consolidated in a single program.

**NEW SECTION.** Sec. 5. A new section is added to chapter 10.05 RCW to read as follows:

At the time of arraignment a person charged with a violation of RCW 46.61.502 or 46.61.504 may be given a statement by the court that explains the availability, operation, and effects of the deferred prosecution program.

Sec. 6. Section 2, chapter 244, Laws of 1975 1st ex. sess. and RCW 10.05.020 are each amended to read as follows:

(1) The ~~((petition))~~ petitioner shall allege under oath in the petition that the wrongful conduct charged is the result of or caused by ~~((alcohol problems))~~ alcoholism, drug ~~((problems))~~ addiction, or mental problems for which the person is in need of treatment and unless treated the probability of future reoccurrence is great, along with a statement that the person agrees to pay the cost of a diagnosis and treatment of the alleged problem or problems if financially able to do so. The petition shall also contain a case history ~~((of the person supporting the allegations))~~ and written assessment prepared by an approved alcoholism treatment facility as designated in chapter 70.96A RCW if the petition alleges alcoholism, an approved drug program as designated in chapter 71.24 RCW if the petition alleges drug addiction, or by an approved mental health center if the petition alleges a mental problem.

(2) Before entry of an order deferring prosecution, a petitioner shall be advised of his rights as an accused and execute, as a condition of receiving treatment, a statement that contains: (a) An acknowledgement of his rights; (b) a stipulation to the admissibility of the facts contained in the written police report; and (c) an acknowledgement that the statement will be entered and used to support a finding of guilty if the court finds cause to revoke the order granting deferred prosecution. The petitioner shall also be advised that he may, if he proceeds to trial and is found guilty, be allowed to seek suspension of some or all of the fines and incarceration that may be ordered upon the condition that he seek treatment and, further, that he may seek treatment from public and private agencies at any time without regard to whether



or not he is found guilty of the offense charged. He shall also be advised that the court will not accept a petition for deferred prosecution from a person who sincerely believes that he is innocent of the charges or sincerely believes that he does not, in fact, suffer from alcoholism, drug addiction, or mental problems.

(3) Before entering an order deferring prosecution, the court shall make specific findings that: (a) The petitioner has stipulated to the admissibility of the facts as contained in the written police report; (b) the petitioner has acknowledged the admissibility of the stipulated facts in any criminal hearing or trial on the underlying offense or offenses held subsequent to revocation of the order granting deferred prosecution; and (c) the petitioner's statements were made knowingly and voluntarily. Such findings shall be included in the order granting deferred prosecution.

Sec. 7. Section 4, chapter 244, Laws of 1975 1st ex. sess. and RCW 10.05.040 are each amended to read as follows:

The facility ((or center)) to which such person is referred shall conduct an investigation and examination to determine:

- (1) Whether the person suffers from the problem ((alleged)) described;
- (2) Whether the problem is such that if not treated there is a probability that similar misconduct will occur in the future;
- (3) Whether extensive and long term treatment is required; ((and))
- (4) Whether effective treatment for the person's problem is available; and
- (5) Whether the person is amenable to treatment.

Sec. 8. Section 5, chapter 244, Laws of 1975 1st ex. sess. and RCW 10.05.050 are each amended to read as follows:

The facility ((or center)) shall make a written report to the court stating its findings and recommendations after the ((investigation and)) examination required by RCW 10.05.040. If its findings and recommendations support treatment, it shall also recommend a treatment plan setting out:

- (1) The type;
- (2) Nature;
- (3) Length;
- (4) A treatment time schedule; and
- (5) Approximate cost of the treatment.

The report with the treatment plan shall be filed with the court and a copy given to the ((defendant)) petitioner and ((defendant's)) petitioner's counsel. A copy of the treatment plan shall be given to the prosecutor by petitioner's counsel at the request of the prosecutor. The evaluation facility making the written report shall append to the report a commitment by the treatment facility that it will provide the treatment in accordance with this chapter. The facility shall agree to provide the court with a statement every three months for the first year and every six months for the second year regarding (a) the petitioner's cooperation with the treatment plan proposed and (b) the petitioner's progress or failure in treatment. These statements shall be made as a declaration by the person who is personally responsible for providing the treatment.

Sec. 9. Section 6, chapter 244, Laws of 1975 1st ex. sess. as amended by section 4, chapter 158, Laws of 1979 and RCW 10.05.060 are each amended to read as follows:

If the report recommends treatment, the court shall examine the treatment plan. If it approves the plan and the ((defendant)) petitioner agrees to comply with its terms and conditions and agrees to pay the cost thereof, if able to do so, or arrange for the treatment, an entry shall be made upon the person's court docket showing that the person has been accepted for deferred prosecution. A copy of the treatment plan shall be attached to the docket, which shall then be removed from the regular court dockets and filed in a special court deferred prosecution file. If the charge be one that an abstract ((is required to be sent to the department of licensing, an abstract)) of the docket showing the charge and the date of ((defendant's)) petitioner's acceptance ((for deferred prosecution shall)) is required to be sent to the department of licensing, ((which)) an abstract shall be sent, and the department of licensing shall make an entry of the charge and of the ((defendant's)) petitioner's acceptance for deferred prosecution on the department's driving record of the ((defendant)) petitioner. The department shall maintain the record for five years from date of entry of the order granting deferred prosecution.

Sec. 10. Section 7, chapter 244, Laws of 1975 1st ex. sess. and RCW 10.05.070 are each amended to read as follows:

When treatment is either not recommended or not approved by the judge, or the ((defendant)) petitioner declines to accept the treatment plan, the ((defendant)) petitioner shall be arraigned on the charge.

Sec. 11. Section 8, chapter 244, Laws of 1975 1st ex. sess. and RCW 10.05.080 are each amended to read as follows:

If the petition is not approved or is withdrawn before approval, evidence pertaining to or resulting from the petition and/or investigation is inadmissible in any trial on the charges, but shall be available for use after a conviction in determining a sentence.

Sec. 12. Section 9, chapter 244, Laws of 1975 1st ex. sess. and RCW 10.05.090 are each amended to read as follows:

If a ~~((defendant))~~ petitioner, who has been accepted for a deferred prosecution, fails or neglects to carry out and fulfill any term or condition of the ~~((defendant's))~~ petitioner's treatment plan, the facility, center, institution, or agency administering the treatment shall immediately report such breach to the court, the prosecutor, and the petitioner or petitioner's attorney of record, together with its recommendation. The court upon receiving such a report shall hold a hearing to determine whether the ~~((defendant))~~ petitioner should be removed from the deferred prosecution program. At the hearing, evidence shall be taken of the ~~((defendant's))~~ petitioner's alleged failure to comply with the treatment plan and the ~~((defendant))~~ petitioner shall have the right to present evidence on his or her own behalf. The court shall either order that the ~~((defendant))~~ petitioner continue on the treatment plan or be removed from deferred prosecution. If removed from deferred prosecution, ~~the ((defendant's docket shall be returned to the regular court files and the defendant shall be arraigned on the original charge))~~ court shall enter judgment pursuant to RCW 10.05.020.

Sec. 13. Section 10, chapter 244, Laws of 1975 1st ex. sess. and RCW 10.05.100 are each amended to read as follows:

If a ~~((defendant))~~ petitioner is subsequently convicted ((in any court of an)) of a similar offense ((similar and committed subsequent to the one for which the defendant is) while in a deferred prosecution program, upon notice the court ((in which the defendant is under deferred prosecution shall upon notice of conviction in another court)) shall remove the ((defendant's)) petitioner's docket from the deferred prosecution file and ((require the defendant to enter a plea to the original charge)) the court shall enter judgment pursuant to RCW 10.05.020.

Sec. 14. Section 11, chapter 244, Laws of 1975 1st ex. sess. and RCW 10.05.110 are each amended to read as follows:

Delay in bringing a case to trial caused by a ~~((defendant))~~ petitioner requesting deferred prosecution as provided for in this chapter shall not be grounds for dismissal.

Sec. 15. Section 12, chapter 244, Laws of 1975 1st ex. sess. as amended by section 45, chapter 165, Laws of 1983 and RCW 10.05.120 are each amended to read as follows:

Upon proof of successful completion of the two-year treatment program, the court shall dismiss the charges pending against the petitioner.

Five years from the date of the court's approval of a deferred prosecution program for an individual ~~((defendant))~~ petitioner, those ~~((dockets))~~ entries that remain in the ~~((special court deferred prosecution file))~~ department of licensing records relating to such ~~((defendant))~~ petitioner shall be ~~((dismissed and the records))~~ removed. A deferred prosecution may be considered for enhancement purposes when imposing mandatory penalties and suspensions under RCW 46.61.515 for subsequent offenses within a five-year period.

NEW SECTION. Sec. 16. A new section is added to chapter 10.05 RCW to read as follows:

As a condition of granting a deferred prosecution petition, the court shall order that the petitioner shall not operate a motor vehicle upon the public highways without a valid operator's license and proof of liability insurance. The amount of liability insurance shall be established by the court at not less than that established by RCW 46.29.490. As a condition of granting a deferred prosecution petition, the court may order the petitioner to make restitution. The court may terminate the deferred prosecution program upon violation of this section.

NEW SECTION. Sec. 17. A new section is added to chapter 10.05 RCW to read as follows:

A deferred prosecution program for alcoholism shall be for a two-year period and shall include, but not be limited to, the following requirements:

- (1) Total abstinence from alcohol and all other nonprescribed mind-altering drugs;
- (2) Participation in an intensive inpatient or intensive outpatient program in a state-approved alcoholism treatment facility;
- (3) Participation in a minimum of two meetings per week of an alcoholism self-help recovery support group, as determined by the assessing agency, for the duration of the treatment program;
- (4) Participation in an alcoholism self-help recovery support group, as determined by the assessing agency, from the date of court approval of the plan to entry into intensive treatment;
- (5) Not less than weekly approved outpatient counseling, group or individual, for a minimum of six months following the intensive phase of treatment;
- (6) Not less than monthly outpatient contact, group or individual, for the remainder of the two-year deferred prosecution period;
- (7) The decision to include the use of prescribed drugs, including disulfiram, as a condition of treatment shall be reserved to the treating facility and the petitioner's physician;
- (8) All treatment within the purview of this section shall occur within or be approved by a state-approved alcoholism treatment facility as described in chapter 70.96A RCW;
- (9) Signature of the petitioner agreeing to the terms and conditions of the treatment program.

NEW SECTION. Sec. 18. A new section is added to chapter 10.05 RCW to read as follows:

The prosecutor may appeal an order granting deferred prosecution on any or all of the following grounds:

- (1) Prior deferred prosecution has been granted to the defendant within five years;
- (2) Failure of the court to obtain proof of insurance or a treatment plan conforming to the requirements of this chapter;
- (3) Failure of the court to comply with the requirements of RCW 10.05.100;
- (4) Failure of the evaluation facility to provide the information required in RCW 10.05.040 and 10.05.050, if the defendant has been referred to the facility for treatment. If an appeal on such basis is successful, the trial court may consider the use of another treatment facility.

NEW SECTION, Sec. 19. A new section is added to chapter 10.05 RCW to read as follows:

As a condition of granting deferred prosecution, the court shall order supervision of the petitioner during the period of deferral. In a jurisdiction with a probation department, the court shall appoint the probation department to supervise the petitioner. In a jurisdiction without a probation department, the court shall appoint an appropriate person or agency to supervise the petitioner. A supervisor appointed under this section shall be required to do at least the following:

- (1) If the charge for which deferral is granted relates to operation of a motor vehicle, at least once every six months request from the department of licensing an abstract of the petitioner's driving record; and
- (2) At least once every month make contact with the petitioner or with any agency to which the petitioner has been directed for treatment as a part of the deferral.

NEW SECTION, Sec. 20. A new section is added to chapter 66.28 RCW to read as follows:

No liquor manufacturer, importer, wholesaler, retailer, agent thereof, or campus representative of any of the foregoing, may conduct promotional activities for any liquor product on the campus of any college or university nor may any such entities engage in activities that facilitate or promote the consumption of alcoholic beverages by the students of the college or university at which the activity takes place. This section does not prohibit the following:

- (1) The sale of alcoholic beverages, by retail licensees on their licensed premises, to persons of legal age and condition to consume alcoholic beverages;
- (2) Sponsorship of broadcasting services for events on a college or university campus;
- (3) Liquor advertising in campus publications; or
- (4) Financial assistance to an activity and acknowledgment of the source of the assistance, if the assistance, activity, and acknowledgment are each approved by the college or university administration.

Sec. 21, Section 11, chapter 260, Laws of 1981 as amended by section 1, chapter 165, Laws of 1983 and RCW 46.20.308 are each amended to read as follows:

(1) Any person who operates a motor vehicle upon the public highways of this state is deemed to have given consent, subject to the provisions of RCW 46.61.506, to a ((chemical)) test or tests of his or her breath or blood for the purpose of determining the alcoholic content of his or her blood if arrested for any offense where, at the time of the arrest, the arresting officer has reasonable grounds to believe the person had been driving or was in actual physical control of a motor vehicle while under the influence of intoxicating liquor.

The test or tests shall be administered at the direction of a law enforcement officer having reasonable grounds to believe the person to have been driving or in actual physical control of a motor vehicle upon the public highways of this state while under the influence of intoxicating liquor. The officer shall inform the person of his or her right to refuse the test, and of his or her right to have additional tests administered by any qualified person of his or her choosing as provided in RCW 46.61.506. The officer shall warn the driver that his or her privilege to drive will be revoked or denied if he or she refuses to submit to the test. The officer shall warn the driver that his refusal to take the test may be used against him in any subsequent criminal trial.

Unless the person to be tested is unconscious, the ((chemical)) test administered shall be of the breath only. If an individual is unconscious or is under arrest for the crime of vehicular homicide as provided in RCW 46.61.520 or vehicular assault as provided in RCW 46.61.522, or if an individual is under arrest for the crime of driving while under the influence of intoxicating liquor or drugs as provided in RCW 46.61.502, which arrest results from an accident in which another person has been injured and there is a reasonable likelihood that such other person may die as a result of injuries sustained in the accident, a breath or blood test may be administered without the consent of the individual so arrested. In such circumstances, the provisions of subsections (2) through (6) of this section shall not apply.

(2) Any person who is dead, unconscious, or who is otherwise in a condition rendering him incapable of refusal, shall be deemed not to have withdrawn the consent provided by subsection (1) of this section and the test or tests may be administered, subject to the provisions of RCW 46.61.506.

(3) If, following his or her arrest, the person arrested refuses upon the request of a law enforcement officer to submit to a ((chemical)) test of his or her breath, after being informed that his refusal will result in the revocation or denial of his privilege to drive, no test shall be given. The department of licensing, upon the receipt of a sworn report of the law enforcement officer that he had reasonable grounds to believe the arrested person had been driving or was

in actual physical control of a motor vehicle upon the public highways of this state while under the influence of intoxicating liquor and that the person had refused to submit to the test upon the request of the law enforcement officer after being informed that such refusal would result in the revocation or denial of his privilege to drive, shall revoke his license or permit to drive or any nonresident operating privilege. If the person is a resident without a license or permit to operate a motor vehicle in this state, the department shall deny to the person the issuance of a license or permit for a period of one year after the date of the alleged violation or for two years if it is the second such refusal in a five-year period, subject to review as hereinafter provided.

(4) Upon revoking the license or permit to drive or the nonresident operating privilege of any person, or upon determining that the issuance of a license or permit shall be denied to the person, as directed in this section, the department shall immediately notify the person involved in writing by personal service or by registered or certified mail of its decision and the grounds therefor, and of his right to a hearing, specifying the steps he must take to obtain a hearing. The person upon receiving the notice may, in writing and within ten days therefrom request a formal hearing. Upon receipt of such request, the department shall afford him an opportunity for a hearing as provided in RCW 46.20.329 and 46.20.332. The scope of the hearing for the purposes of this section shall cover the issues of whether a law enforcement officer had reasonable grounds to believe the person had been driving or was in actual physical control of a motor vehicle upon the public highways of this state while under the influence of intoxicating liquor, whether the person was placed under arrest, and whether he refused to submit to the test upon request of the officer after having been informed that such refusal would result in the revocation or denial of his privilege to drive. The department shall order that the revocation or determination that there should be a denial of issuance either be rescinded or sustained. Any decision by the department revoking a person's driving privilege shall be stayed and shall not take effect while a formal hearing is pending as provided in this section or during the pendency of a subsequent appeal to superior court so long as there is no conviction for a moving violation or no finding that the person has committed a traffic infraction that is a moving violation during pendency of the hearing and appeal.

(5) If the revocation or determination that there should be a denial of issuance is sustained after such a hearing, the person whose license, privilege, or permit is so affected has the right to file a petition in the superior court of the county in which he or she resides, or, if a nonresident of this state, where the charge arose, to review the final order of revocation or denial by the department in the manner provided in RCW 46.20.334.

(6) When it has been finally determined under the procedures of this section that a nonresident's privilege to operate a motor vehicle in this state has been revoked, the department shall give information in writing of the action taken to the motor vehicle administrator of the state of the person's residence and of any state in which he or she has a license.

Sec. 22. Section 11, chapter 260, Laws of 1981 as last amended by section 2, chapter 165, Laws of 1983 and by section 21 of this act and RCW 46.20.308 are each reenacted and amended to read as follows:

(1) Any person who operates a motor vehicle within this state is deemed to have given consent, subject to the provisions of RCW 46.61.506, to a test or tests of his or her breath or blood for the purpose of determining the alcoholic content of his or her blood if arrested for any offense where, at the time of the arrest, the arresting officer has reasonable grounds to believe the person had been driving or was in actual physical control of a motor vehicle while under the influence of intoxicating liquor.

(2) The test or tests shall be administered at the direction of a law enforcement officer having reasonable grounds to believe the person to have been driving or in actual physical control of a motor vehicle within this state while under the influence of intoxicating liquor. The officer shall inform the person of his or her right to refuse the test, and of his or her right to have additional tests administered by any qualified person of his or her choosing as provided in RCW 46.61.506. The officer shall warn the driver that (a) his or her privilege to drive will be revoked or denied if he or she refuses to submit to the test, (b) that his or her privilege to drive will be suspended, revoked, or denied if the test is administered and the test indicates a concentration of alcohol in his or her blood of 0.10 percent or more, or a concentration of the equivalent of 0.10 gram or more of alcohol per two hundred ten liters of his or her breath, and (c) that his or her refusal to take the test may be used against him or her in a subsequent criminal trial.

(3) Except as provided in this subsection and subsection (4) of this section, the test administered shall be of the breath only. If an individual is unconscious or is under arrest for the crime of vehicular homicide as provided in RCW 46.61.520 or vehicular assault as provided in RCW 46.61.522, or if an individual is under arrest for the crime of driving while under the influence of intoxicating liquor or drugs as provided in RCW 46.61.502, which arrest results from an accident in which another person has been injured and there is a reasonable likelihood that such other person may die as a result of injuries sustained in the accident, a breath or blood test may be administered without the consent of the individual so arrested.

(4) Any person who is dead, unconscious, or who is otherwise in a condition rendering him incapable of refusal, shall be deemed not to have withdrawn the consent provided by subsection (1) of this section and the test or tests may be administered, subject to the provisions of RCW 46.61.506, and the person shall be deemed to have received the warnings required under subsection (2) of this section.

(5) If, following his or her arrest and receipt of warnings under subsection (2) of this section, the person arrested refuses upon the request of a law enforcement officer to submit to a test of his or her breath, no test shall be given except as authorized under subsection (3) or (4) of this section.

Sec. 23. Section 1, chapter 176, Laws of 1979 ex. sess. and RCW 46.61.502 are each amended to read as follows:

A person is guilty of driving while under the influence of intoxicating liquor or any drug if he drives a vehicle within this state while:

(1) He has 0.10 percent or more by weight of alcohol in his blood, or the equivalent of 0.10 gram or more of alcohol per two hundred ten liters of breath, as shown by ((chemical)) analysis of his breath, blood, or other bodily substance made under RCW 46.61.506 as now or hereafter amended; or

(2) He is under the influence of or affected by intoxicating liquor or any drug; or

(3) He is under the combined influence of or affected by intoxicating liquor and any drug.

The fact that any person charged with a violation of this section is or has been entitled to use such drug under the laws of this state shall not constitute a defense against any charge of violating this section.

Sec. 24. Section 2, chapter 176, Laws of 1979 ex. sess. and RCW 46.61.504 are each amended to read as follows:

A person is guilty of being in actual physical control of a motor vehicle while under the influence of intoxicating liquor or any drug if he has actual physical control of a vehicle within this state while:

(1) He has a 0.10 percent or more by weight of alcohol in his blood, or the equivalent of 0.10 gram or more of alcohol per two hundred ten liters of breath, as shown by ((chemical)) analysis of his breath, blood, or other bodily substance made under RCW 46.61.506, as now or hereafter amended; or

(2) He is under the influence of or affected by intoxicating liquor or any drug; or

(3) He is under the combined influence of or affected by intoxicating liquor and any drug.

The fact that any person charged with a violation of this section is or has been entitled to use such drug under the laws of this state shall not constitute a defense against any charge of violating this section. No person may be convicted under this section if, prior to being pursued by a law enforcement officer, he has moved the vehicle safely off the roadway.

Sec. 25. Section 3, chapter 1, Laws of 1969 as last amended by section 5, chapter 176, Laws of 1979 ex. sess. and RCW 46.61.506 are each amended to read as follows:

(1) Upon the trial of any civil or criminal action or proceeding arising out of acts alleged to have been committed by any person while driving or in actual physical control of a vehicle while under the influence of intoxicating liquor or any drug, if the amount of alcohol in the person's blood or breath at the time alleged as shown by ((chemical)) analysis of his blood, breath, or other bodily substance is less than 0.10 percent by weight of alcohol in the person's blood, or the equivalent of 0.10 gram or more of alcohol per two hundred ten liters of breath, it is evidence that may be considered with other competent evidence in determining whether the person was under the influence of intoxicating liquor or any drug.

(2) Percent by weight of alcohol in the blood shall be based upon milligrams of alcohol per one hundred cubic centimeters of blood. The breath analysis shall be based upon grams of alcohol per two hundred ten liters of breath. The foregoing provisions of this section shall not be construed as limiting the introduction of any other competent evidence bearing upon the question whether the person was under the influence of intoxicating liquor or any drug.

(3) ((Chemical)) Tests or analysis of the person's blood or breath to be considered valid under the provisions of this section or RCW 46.61.502 or 46.61.504 shall have been performed according to methods approved by the state toxicologist and by an individual possessing a valid permit issued by the state toxicologist for this purpose. The state toxicologist is directed to approve satisfactory techniques or methods, to supervise the examination of individuals to ascertain their qualifications and competence to conduct such analyses, and to issue permits which shall be subject to termination or revocation at the discretion of the state toxicologist.

(4) When a blood test is administered under the provisions of RCW 46.20.308, the withdrawal of blood for the purpose of determining its alcoholic content may be performed only by a physician, a registered nurse, or a qualified technician. This limitation shall not apply to the taking of breath specimens.

(5) The person tested may have a physician, or a qualified technician, chemist, registered nurse, or other qualified person of his own choosing administer a ((chemical)) test or tests in addition to any administered at the direction of a law enforcement officer. The failure or inability to obtain an additional test by a person shall not preclude the admission of evidence relating to the test or tests taken at the direction of a law enforcement officer.

(6) Upon the request of the person who shall submit to a ~~((chemical))~~ test or tests at the request of a law enforcement officer, full information concerning the test or tests shall be made available to him or his attorney.

**NEW SECTION, Sec. 26.** 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. 27.** This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately except for section 1 of this act, which shall take effect July 1, 1985, and section 22 of this act, which shall take effect January 1, 1986."

In line 3 of the title, after "10.05.110," strike "and"

In line 3 of the title, after "10.05.120" and before the semicolon, insert "46.20.308, 46.61.502, 46.61.504, and 46.61.506"

In line 3 of the title, after the semicolon, insert "reenacting and amending RCW 46.20.308;"

In line 6 of the title, after "providing" strike "an effective date" and insert "effective dates"

Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, P. King, Lewis, Locke, G. Nelson, Niemi, Schmidt, Schoon, Tilly, Van Luvan, West and Wang.

Absent: Representatives Padden and Tilly.

Passed to Committee on Rules for second reading.

March 29, 1985

**SB 3236** Prime Sponsor, Senator Moore: Relating to banks and bank holding companies. Reported by Committee on Financial Institutions & Insurance

**MAJORITY recommendation:** Do pass. Signed by Representatives Zellinsky, Vice Chair; Addison, Barrett, Crane, Dellwo, Grimm, Holland, P. King, Nutley, West and Winsley.

**MINORITY recommendation:** Do not pass. Signed by Representative Lux, Chair.

Absent: Representative Prince.

Passed to Committee on Rules for second reading.

March 29, 1985

**SB 3267** Prime Sponsor, Senator Hansen: Relieving the department of the duty of returning a surrendered driver's license at the end of the suspension period. Reported by Committee on Judiciary

**MAJORITY recommendation:** Do pass with the following amendments:

On page 1, after line 8, insert the following:

"Sec. 2. Section 2, chapter 121, Laws of 1965 ex. sess. as amended by section 53, chapter 136, Laws of 1979 ex. sess. and RCW 46.20.021 are each amended to read as follows:

(1) No person, except ~~((those hereinafter))~~ as expressly exempted ((shall) by this chapter, may drive any motor vehicle upon a highway in this state unless ((such)) the person has a valid driver's license issued under the provisions of this chapter. A violation of this subsection is a misdemeanor and is a lesser included offense within the offenses described in RCW 46.20.342(1), 46.20.416, 46.20.420, and 46.65.090.

(2) No person shall receive a driver's license unless and until he surrenders to the department all valid driver's licenses in his possession issued to him by any other jurisdiction. All surrendered licenses shall be returned by the department to the issuing department together with information that the licensee is now licensed in a new jurisdiction. No person shall be permitted to have more than one valid driver's license at any time. ~~((Violation of the provisions of this section is a misdemeanor:~~

~~((2)))~~ (3) Any person licensed as a driver ~~((hereunder))~~ under this chapter may exercise the privilege thereby granted upon all streets and highways in this state and shall not be required to obtain any other license to exercise such privilege by any county, municipal or local board, or body having authority to adopt local police regulations.

Sec. 3. Section 3, chapter 148, Laws of 1980 and RCW 46.20.342 are each amended to read as follows:

(1) Any person who drives a motor vehicle on any public highway of this state ~~((at a time))~~ when his privilege so to do is suspended or revoked in this or any other state or when his policy of insurance or bond, when required under this chapter, ~~((shall have))~~ has been canceled or terminated, ((shall be)) is guilty of a gross misdemeanor ~~((PROVIDED: That the offenses described in RCW 46.20.021 and 46.20.190, as now or hereafter amended, are lesser included~~

~~offenses within the offense described by this section)). Upon the first conviction ((therefor, he) for a violation of this section, a person shall be punished by imprisonment for not less than ten days nor more than six months. Upon the second such conviction ((therefor)), he shall be punished by imprisonment for not less than ninety days nor more than one year. Upon the third or subsequent such conviction ((therefor)), he shall be punished by imprisonment for not less than one year. There may also be imposed in connection with each such conviction a fine of not more than five hundred dollars.~~

~~(2) ((The department) Except as otherwise provided in this subsection, upon receiving a record of conviction of any person or upon receiving an order by any juvenile court or any duly authorized court officer of the conviction of any juvenile under this section upon a charge of driving a vehicle while the license of such person is under suspension, the department shall extend the period of such suspension for an additional like period and if the conviction was upon a charge of driving while a license was revoked the department shall not issue a new license for an additional period of one year from and after the date such person would otherwise have been entitled to apply for a new license. The department shall not so extend the period of suspension or revocation if the court recommends against the extension and:~~

~~(a) The convicted person has obtained a valid driver's license; or~~

~~(b) The department determines that the convicted person has demonstrated proof of future financial responsibility as provided for in chapter 46.29 RCW, and, if the suspension or revocation was the result of a violation of RCW 46.61.502 or 46.61.504, that the person is making satisfactory progress in any required alcoholism treatment program.~~

Sec. 4. Section 3, chapter 29, Laws of 1975-'76 2nd ex. sess. and RCW 46.20.416 are each amended to read as follows:

Any person who drives a motor vehicle on any public highway of this state while that person is in a suspended or revoked status ~~((shall be))~~ is guilty of a gross misdemeanor. ~~((Upon a first conviction therefor, the person shall be punished by imprisonment of not less than ten days, nor more than six months. Upon the second such conviction therefor, the person shall be punished by imprisonment of not less than twenty days, nor more than one year. Upon the third such conviction therefor, the person shall be punished by imprisonment for one year. There may also be imposed in connection with each conviction a fine of not more than five hundred dollars.))~~ First, second, third, and subsequent violations of this section shall be punished in the same way as violations of RCW 46.20.342(1).

Sec. 5. Section 2, chapter 134, Laws of 1961 as amended by section 35, chapter 32, Laws of 1967 and RCW 46.20.420 are each amended to read as follows:

Any resident or nonresident whose driver's license or right or privilege to operate a motor vehicle in this state has been suspended or revoked as provided in this title shall not operate a motor vehicle in this state under a license, permit, or registration certificate issued by any other jurisdiction or otherwise during such suspension or after such revocation until a new license is obtained when and as permitted under this chapter. First, second, third, and subsequent violations of this section shall be punished in the same way as violations of RCW 46.20.342(1).

Sec. 6. Section 12, chapter 2, Laws of 1983 and RCW 46.52.100 are each amended to read as follows:

Every justice of the peace, police judge, and clerk of superior court shall keep or cause to be kept a record of every traffic complaint, traffic citation, notice of infraction, or other legal form of traffic charge deposited with or presented to said justice of the peace, police judge, superior court, or a traffic violations bureau, and shall keep a record of every official action by said court or its traffic violations bureau in reference thereto, including but not limited to a record of every conviction, forfeiture of bail, judgment of acquittal, finding that a traffic infraction has been committed, dismissal of a notice of infraction, and the amount of fine, forfeiture, or penalty resulting from every said traffic complaint, citation, or notice of infraction deposited with or presented to the justice of the peace, police judge, superior court, or traffic violations bureau.

The Monday following the conviction, forfeiture of bail, or finding that a traffic infraction was committed for violation of any provisions of this chapter or other law regulating the operating of vehicles on highways, every said magistrate of the court or clerk of the court of record in which such conviction was had, bail was forfeited, or the finding made shall prepare and immediately forward to the director of licensing at Olympia an abstract of the record of said court covering the case, which abstract must be certified by the person so required to prepare the same to be true and correct. Report need not be made of any finding involving the illegal parking or standing of a vehicle.

Said abstract must be made upon a form furnished by the director and shall include the name and address of the party charged, the number, if any, of his driver's or chauffeur's license, the registration number of the vehicle involved, the nature of the offense, the date of hearing, the plea, the judgment, whether bail forfeited, whether the determination that a traffic infraction was committed was contested, and the amount of the fine, forfeiture, or penalty as the case may be.

Every court of record shall also forward a like report to the director upon the conviction of any person of manslaughter or other felony in the commission of which a vehicle was used.

The failure of any such judicial officer to comply with any of the requirements of this section shall constitute misconduct in office and shall be grounds for removal therefrom.

The director shall keep all abstracts received hereunder at his office in Olympia and the same shall be open to public inspection during reasonable business hours.

Venue in all justice courts shall be before one of the two nearest justices of the peace in incorporated cities and towns nearest to the point the violation allegedly occurred: PROVIDED, That in counties of class A and of the first class such cases may be tried in the county seat at the request of the defendant.

It shall be the duty of the officer, prosecuting attorney, or city attorney signing the charge or information in any case involving a charge of driving under the influence of intoxicating liquor or any drug immediately to make request to the director for an abstract of convictions and forfeitures which the director shall furnish.

~~(If the driver at the time of the offense charged was without a driver's license because of a previous suspension or revocation, the minimum mandatory jail sentence and fine shall be ninety days in the county jail and a two hundred dollar fine. The penalty so imposed shall not be suspended.)~~

Sec. 7, Section 12, chapter 10, Laws of 1982 as amended by section 6, chapter 164, Laws of 1983 and RCW 46.63.020 are each amended to read as follows:

Failure to perform any act required or the performance of any act prohibited by this title or an equivalent administrative regulation or local law, ordinance, regulation, or resolution relating to traffic including parking, standing, stopping, and pedestrian offenses, is designated as a traffic infraction and may not be classified as a criminal offense, except for an offense contained in the following provisions of this title or a violation of an equivalent administrative regulation or local law, ordinance, regulation, or resolution:

(1) RCW 46.09.120(2) relating to the operation of a nonhighway vehicle while under the influence of intoxicating liquor or a controlled substance;

(2) RCW 46.09.130 relating to operation of nonhighway vehicles;

(3) RCW 46.10.090(2) relating to the operation of a snowmobile while under the influence of intoxicating liquor or narcotics or habit-forming drugs or in a manner endangering the person of another;

(4) RCW 46.10.130 relating to the operation of snowmobiles;

(5) Chapter 46.12 RCW relating to certificates of ownership and registration;

(6) RCW 46.16.160 relating to vehicle trip permits;

(7) RCW 46.20.021 relating to driving without a valid driver's license;

(8) RCW 46.20.336 relating to the unlawful possession and use of a driver's license;

(9) RCW 46.20.342 relating to driving with a suspended or revoked license;

(10) RCW 46.20.410 relating to the violation of restrictions of an occupational driver's license;

(11) RCW 46.20.416 relating to driving while in a suspended or revoked status;

(12) RCW 46.20.420 relating to the operation of a motor vehicle with a suspended or revoked license;

~~((13))~~ (13) Chapter 46.29 RCW relating to financial responsibility;

~~((14))~~ (14) RCW 46.44.180 relating to operation of mobile home pilot vehicles;

~~((15))~~ (15) RCW 46.48.175 relating to the transportation of dangerous articles;

~~((16))~~ (16) RCW 46.52.010 relating to duty on striking an unattended car or other property;

~~((17))~~ (17) RCW 46.52.020 relating to duty in case of injury to or death of a person or damage to an attended vehicle;

~~((18))~~ (18) RCW 46.52.090 relating to reports by repairmen, storagemen, and appraisers;

~~((19))~~ (19) RCW 46.52.100 relating to driving under the influence of liquor or drugs;

~~((20))~~ (20) RCW 46.52.108 relating to disposal of abandoned vehicles or hulks;

~~((21))~~ (21) RCW 46.52.130 relating to confidentiality of the driving record to be furnished to an insurance company and an employer;

~~((22))~~ (22) RCW 46.52.210 relating to abandoned vehicles or hulks;

~~((23))~~ (23) RCW 46.61.015 relating to obedience to police officers, flagmen, or fire fighters;

~~((24))~~ (24) RCW 46.61.020 relating to refusal to give information to or cooperate with an officer;

~~((25))~~ (25) RCW 46.61.022 relating to failure to stop and give identification to an officer;

~~((26))~~ (26) RCW 46.61.024 relating to attempting to elude pursuing police vehicles;

~~((27))~~ (27) RCW 46.61.500 relating to reckless driving;

~~((28))~~ (28) RCW 46.61.502 and 46.61.504 relating to persons under the influence of intoxicating liquor or drugs;

~~((29))~~ (29) RCW 46.61.520 relating to vehicular homicide by motor vehicle;

~~((30))~~ (30) RCW 46.61.522 relating to vehicular assault;

~~((31))~~ (31) RCW 46.61.525 relating to negligent driving;

~~((32))~~ (32) RCW 46.61.530 relating to racing of vehicles on highways;

~~((33))~~ (33) RCW 46.61.685 relating to leaving children in an unattended vehicle with the motor running;



~~((33))~~ (34) RCW 46.64.010 relating to unlawful cancellation of or attempt to cancel a traffic citation;

~~((34))~~ (35) RCW 46.64.020 relating to nonappearance after a written promise;

~~((35))~~ (36) RCW 46.64.048 relating to attempting, aiding, abetting, coercing, and committing crimes;

~~((36))~~ (37) Chapter 46.65 RCW relating to habitual traffic offenders;

~~((37))~~ (38) Chapter 46.70 RCW relating to unfair motor vehicle business practices, except where that chapter provides for the assessment of monetary penalties of a civil nature;

~~((38))~~ (39) Chapter 46.72 RCW relating to the transportation of passengers in for hire vehicles;

~~((39))~~ (40) Chapter 46.80 RCW relating to motor vehicle wreckers;

~~((40))~~ (41) Chapter 46.82 RCW relating to driver's training schools.

Sec. 8. Section 11, chapter 284, Laws of 1971 ex. sess. as last amended by section 6, chapter 62, Laws of 1979 and RCW 46.65.090 are each amended to read as follows:

It ~~(shall be)~~ is unlawful for any person to operate a motor vehicle in this state while the order of revocation remains in effect. Any person found to be an habitual offender under the provisions of this chapter who is ~~(hereafter)~~ convicted of operating a motor vehicle in this state while the order of revocation prohibiting such operation is in effect ~~(shall be)~~ is guilty of a gross misdemeanor ~~(the punishment for which shall be confinement in the county jail for not more than one year. PROVIDED: That any person who is convicted for the offense of operating a motor vehicle while under the influence of intoxicating liquor or drugs as defined in RCW 46.61.506, or the offense of failure to stop and give information or render aid as required in RCW 46.52.020, and is also convicted of operating a motor vehicle while the order of revocation is in effect, shall be confined in the county jail for not less than thirty days nor more than one year, and such sentence)). First, second, third, and subsequent violations of this section shall be punished in the same way as violations of RCW 46.20.342(1), except that the minimum sentence of confinement required shall not be suspended or deferred."~~

In line 1 of the title, after "licenses;" strike "and"

In line 1 of the title, after "46.20.315" and before the period, insert ", 46.20.021, 46.20.342, 46.20.416, 46.20.420, 46.52.100, 46.63.020, and 46.65.090; and prescribing penalties"

Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, Locke, G. Nelson, Niemi, Schmidt, Schoon, Tilly, West and Wang.

Absent: Representatives Lewis, Padden, Tilly and Van Luven.

Passed to Committee on Rules for second reading.

April 1, 1985

ESSB 3276

Prime Sponsor, Committee on Judiciary: Establishing a missing children clearinghouse. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The Washington state patrol shall establish a missing children clearinghouse which shall include the maintenance and operation of a toll-free, twenty-four-hour telephone hotline. The clearinghouse shall distribute information to local law enforcement agencies, school districts, the department of social and health services, and the general public regarding missing children. The information shall include pictures, bulletins, training sessions, reports, and biographical materials that will assist in local law enforcement efforts to locate missing children. The state patrol shall also maintain a regularly updated computerized link with national and other state-wide missing person systems or clearinghouses.

'Child' or 'children,' as used in this chapter, means an individual under eighteen years of age.

NEW SECTION. Sec. 2. Local law enforcement agencies shall file an official missing person report and enter biographical information into the state missing person computerized network within twelve hours after notification of a missing child is received under RCW 13.32A.050 (1), (3), or (4). The patrol shall collect such information as will enable it to retrieve immediately the following information about a missing child: name, date of birth, social security number, fingerprint classification, relevant physical descriptions, and known associates and locations. Access to the preceding information shall be available to appropriate law enforcement agencies, and to parents and legal guardians, when appropriate.

NEW SECTION. Sec. 3. The superintendent of public instruction shall meet semiannually with the Washington state patrol to develop a coordinated plan for the distribution of information and education of teachers and students in the school districts of the state regarding the missing children problem in the state. The superintendent of public instruction shall encourage local school districts to cooperate and provide the state patrol information on any missing children that may be identified within the district.

NEW SECTION. Sec. 4. Sections 1 through 3 of this act shall constitute a new chapter in Title 13 RCW.

NEW SECTION. Sec. 5. There is appropriated from the general fund to the Washington state patrol for the biennium ending June 30, 1987, the sum of one hundred fifty thousand dollars, or so much thereof as may be necessary, to carry out the purposes of this act."

On page 1, line 2 of the title, strike "creating a new section;"

Signed by Representatives Brekke, Chair; Day, Vice Chair; Armstrong, Ballard, Brooks, Dellwo, Leonard, Lewis, Scott, West and Winsley.

Voting nay: Representatives Braddock and Padden.

Absent: Representatives Dobbs, Lux, Tanner and S. Wilson.

Referred to Committee on Ways & Means.

April 1, 1985

SB 3278 Prime Sponsor, Senator Gaspard: Waiving higher education fees for students of foreign nations. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

\*NEW SECTION. Sec. 1. A new section is added to chapter 28B.15 RCW to read as follows:

The boards of regents of the state universities and the boards of trustees of the regional universities and The Evergreen State College may waive the tuition, operating, and services and activities fees for undergraduate or graduate students of foreign nations subject to the following limitations:

(1) The number of waivers awarded by each institution shall not exceed one-fourth of one percent of the full time equivalent students enrolled in any academic year;

(2) Priority in the awarding of waivers shall be given to students on academic exchanges or academic special programs sponsored by recognized international educational organizations; and

(3) An undergraduate or graduate student of a foreign nation receiving a waiver under this section is not eligible for any other.

The waiver programs under this section, to the greatest extent possible, shall promote reciprocal placements and waivers in foreign nations for Washington residents. The number of waivers awarded by each four-year institution of higher education shall not exceed the number of that institution's own students enrolled in approved study programs abroad during the same period.

Sec. 2. Section 1, chapter 262, Laws of 1979 ex. sess. as last amended by section 9, chapter 37, Laws of 1982 1st ex. sess. and RCW 28B.15.740 are each amended to read as follows:

(1) The boards of trustees or regents of each of the state's regional universities, The Evergreen State College, or state universities, and the various community colleges, consistent with regulations and procedures established by the state board for community college education, may waive, in whole or in part, tuition, operating, and services and activities fees subject to the limitations set forth in subsection (2).

(2) The total dollar amount of tuition and fee waivers awarded by any state university, regional university, or state college, shall not exceed four percent, and for the community colleges considered as a whole, such amount shall not exceed three percent of an amount determined by estimating the total collections from tuition, operating, and services and activities fees had no such waivers been made and deducting the portion of that total amount which is attributable to the difference between resident and nonresident fees: PROVIDED, That at least three-fourths of the dollars waived shall be for needy students who are eligible for resident tuition and fee rates pursuant to RCW 28B.15.012 through 28B.15.015: PROVIDED FURTHER, That the remainder of the dollars waived, not to exceed one-fourth of the total, may be applied to other students at the discretion of the board of trustees or regents, except on the basis of participation in intercollegiate athletic programs: PROVIDED FURTHER, That the waivers for undergraduate and graduate students of foreign nations under section 1 of this 1985 act are not subject to the limitation under this section."

Signed by Representatives Sommers, Chair; Jacobsen, Vice Chair; Allen, Basich, G. Nelson, Prince, Unsoeld, Vander Stoep, K. Wilson and Wineberry.

Voting nay: Representatives Hastings, Miller and Silver.

Absent: Representative Belcher.

Referred to Committee on Ways & Means.

April 2, 1985

SB 3282 Prime Sponsor, Senator Williams: Requiring the director of general administration to give preference to historic properties for use by state agencies. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Belcher, Chair; Peery, Vice Chair; Baugher, Brooks, Hankins, O'Brien, Sanders, Todd, van Dyke, Vekich and Walk.

Absent: Representatives Fuhrman and Sanders.

Passed to Committee on Rules for second reading.

April 2, 1985

SB 3298 Prime Sponsor, Senator Hansen: Modifying notice requirements for changes in water flows or levels in public waters. Reported by Committee on Agriculture

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Baugher, Vice Chair; Ballard, Bristow, Brooks, Chandler, Doty, Kremen, Madsen, Nealey and Peery.

Absent: Representative Bristow.

Passed to Committee on Rules for second reading.

March 29, 1985

SB 3325 Prime Sponsor, Senator Owen: Limiting the definition of financial interest for persons engaged in alcoholic beverage businesses. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

\*Sec. 1. Section 90, chapter 62, Laws of 1933 ex. sess. as last amended by section 7, chapter 85, Laws of 1982 and RCW 66.28.010 are each amended to read as follows:

(1) No manufacturer, importer, or wholesaler, or person financially interested, directly or indirectly, in such business, whether resident or nonresident, shall have any financial interest, direct or indirect, in any licensed retail business, nor shall any manufacturer, importer, or wholesaler own any of the property upon which such licensed persons conduct their business, nor shall any such licensed person, under any arrangement whatsoever, conduct his business upon property in which any manufacturer, importer, or wholesaler has any interest. Except as provided in subsection (3) of this section, no manufacturer, importer, or wholesaler shall advance moneys or moneys' worth to a licensed person under an arrangement, nor shall such licensed person receive, under an arrangement, an advance of moneys or moneys' worth: PROVIDED, That 'person' as used in this section only shall not include those state or federally chartered banks, state or federally chartered savings and loan associations, state or federally chartered mutual savings banks, or institutional investors which are not controlled directly or indirectly by a manufacturer, importer, or wholesaler as long as the bank, savings and loan association, or institutional investor does not influence or attempt to influence the purchasing practices of the retailer with respect to alcoholic beverages. No manufacturer, importer, or wholesaler shall be eligible to receive or hold a retail license under this title, nor shall such manufacturer, importer, or wholesaler sell at retail any liquor as herein defined: PROVIDED, That nothing in this section shall prohibit a licensed brewer or domestic winery from being licensed as a retailer pursuant to chapter 66.24 RCW for the purpose of selling beer or wine of its own production at retail on the brewery or winery premises. Such beer and wine so sold at retail shall be subject to the taxes imposed by RCW 66.24.290 and 66.24.210 and to reporting and bonding requirements as prescribed by regulations adopted by the board pursuant to chapter 34.04 RCW: PROVIDED FURTHER, That nothing in this section shall prohibit a licensed brewer or domestic winery, or a lessee of a licensed brewer or domestic winery, from being licensed as a class H restaurant pursuant to chapter 66.24 RCW for the purpose of selling liquor at a class H premises on the property on which the primary manufacturing facility of the licensed brewer or domestic winery is located or on contiguous property owned by the licensed brewer or domestic winery as prescribed by regulations adopted by the board pursuant to chapter 34.04 RCW.

(2) Financial interest, direct or indirect, as used in this section, shall include any interest, whether by stock ownership, mortgage, lien, or through interlocking directors, or otherwise. Pursuant to rules promulgated by the board in accordance with chapter 34.04 RCW manufacturers, wholesalers and importers may perform, and retailers may accept the service of building, rotating and restocking case displays and stock room inventories; rotating and rearranging can and bottle displays of their own products; provide point of sale material and

brand signs; price case goods of their own brands; and perform such similar normal business services as the board may by regulation prescribe.

(3)(a) This section does not prohibit a manufacturer, importer, or wholesaler from providing services to a class G or J retail licensee for: (i) Installation of draft beer dispensing equipment or advertising, (ii) advertising, pouring or dispensing of wine at a wine tasting exhibition or judging event, or (iii) a class G or J retail licensee from receiving any such services as may be provided by a manufacturer, importer, or wholesaler: PROVIDED, That nothing in this section shall prohibit a retail licensee, or any person financially interested, directly or indirectly, in such a retail licensee from having a financial interest, direct or indirect, in a business which provides, for a compensation commensurate in value to the services provided, bottling, canning or other services to a manufacturer, so long as the retail licensee or person interested therein has no direct financial interest in or control of said manufacturer.

(b) A person holding contractual rights to payment from selling a liquor wholesaler's business and transferring the license shall not be deemed to have a financial interest under this section if the person (i) lacks any ownership in or control of the wholesaler, (ii) is not employed by the wholesaler, and (iii) does not influence or attempt to influence liquor purchases by retail liquor licensees from the wholesaler.

(c) The board shall adopt such rules as are deemed necessary to carry out the purposes and provisions of subsection (3)(a) of this section in accordance with the administrative procedure act, chapter 34.04 RCW.

(4) A license issued under RCW 66.24.395 does not constitute a retail license for the purposes of this section.

Signed by Representatives Wang, Chair; Cole, Vice Chair; Betrozoff, Chandler, Ebersole, Fisch, Fisher, R. King, O'Brien, Patrick, Sayan, C. Smith, Walker and J. Williams.

Passed to Committee on Rules for second reading.

April 1, 1985

SB 3326 Prime Sponsor, Senator Owen: Allowing multiple occasion use of special occasion liquor license. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Betrozoff, Chandler, Ebersole, Fisch, Fisher, R. King, O'Brien, Patrick, Sayan, C. Smith, Walker and J. Williams.

Passed to Committee on Rules for second reading.

April 2, 1985

SB 3337 Prime Sponsor, Senator Owen: Giving certain specific duties of the public lands commissioner to the department of natural resources. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Basich, Belcher, Cole, Dobbs, Fuhrman, Hankins, Hargrove, Haugen, Leonard, Lundquist, McMullen, Sanders, Sayan, Thomas, van Dyke and S. Wilson.

Passed to Committee on Rules for second reading.

March 29, 1985

SSB 3361 Prime Sponsor, Committee on Financial Institutions: Regulating savings banks; providing for acquisition of control; and regulating conversions. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass with the following amendment:  
Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 32.04.020, chapter 13, Laws of 1955 as amended by section 106, chapter 85, Laws of 1981 and RCW 32.04.020 are each amended to read as follows:

The use of the term 'savings bank' in this title refers to mutual savings banks and converted mutual savings banks only.

The use of the words 'mutual savings' as part of a name under which business of any kind is or may be transacted by any person, firm, or corporation, except such as were organized and in actual operation on June 9, 1915, or as may be thereafter organized and operated under the requirements of this title is hereby prohibited.

The use of the term 'supervisor' in this title refers to the supervisor of banking.

The use of the word 'branch' in this title refers to an established manned place of business or manned mobile facility or other manned facility of a savings bank, other than the principal office, at which deposits may be taken.

Sec. 2. Section 32.04.030, chapter 13, Laws of 1955 as amended by section 1, chapter 80, Laws of 1955 and RCW 32.04.030 are each amended to read as follows:

~~((+)) A savings bank ((shall not do business or be located in the same room with, or in a room connecting with, any other bank, or a trust company that receives deposits of money or commercial paper, or a national banking association:~~

~~(2) No savings bank, or any officer or director thereof, shall receive deposits or transact any of its usual business at any place other than its principal place of business or an authorized branch:~~

~~(3) A savings bank, with the approval of the supervisor, may establish and operate branches but only upon the conditions and subject to the limitations following:~~

~~(a) if its guaranty fund is not less than the aggregate paid-in capital which would be required by law as a prerequisite to the establishment and operation of an equal number of branches in like locations by a bank:~~

~~(b) Branches may be established in any county of the state; and~~

~~(c) A branch shall not be established at a place at which the supervisor would not permit a proposed new savings bank to engage in business, by reason of any consideration contemplated by RCW 32.08.040, 32.08.050 and 32.08.060, the provisions of which, insofar as applicable, including those relating to appeals, shall extend to applications to establish branches)), with the written approval of the supervisor, may establish and operate branches in any place within the state.~~

A savings bank desiring to establish a branch shall file a written application therefor with the supervisor, who shall approve or disapprove the application.

The supervisor's approval shall be conditioned on a finding that the resources in the market area of the proposed location offer a reasonable promise of adequate support for the proposed branch and that the proposed branch is not being formed for other than the legitimate purposes under this title. A branch shall not be established or permitted if the capital of the savings bank, including paid-in surplus, guaranty fund, and undivided profits, is less than the aggregate paid-in capital which would be required by law as a prerequisite to the establishment and operation of an equal number of branches in like locations by a commercial bank. If the application for a branch is not approved, the savings bank shall have the right to appeal in the same manner and within the same time as provided by RCW 32.08.050 and 32.08.060. The savings bank when delivering the application to the supervisor shall transmit to the supervisor a check in an amount established by rule to cover the expense of the investigation. A savings bank shall not move any branch more than two miles from its existing location without prior approval of the supervisor. Not less than twenty days prior to the date on which it opens any office at which it will transact business, a mutual savings bank shall give written notice to the supervisor of the location and business hours of this office. No such notice shall become effective until it has been delivered to the office of the supervisor.

The board of trustees of a savings bank, after notice to the supervisor, may discontinue the operation of a branch. The savings bank shall keep the supervisor informed in the matter and shall notify the supervisor of the date operation of the branch is discontinued.

Sec. 3. Section 10, chapter 86, Laws of 1981 and RCW 32.08.142 are each amended to read as follows:

Notwithstanding any restrictions, limitations, and requirements of law, in addition to all powers, express or implied, that a mutual savings bank has under the laws of this state, a mutual savings bank shall have the powers and authorities of federal mutual savings banks formed under the provisions of 12 U.S.C. Sec. 1464.

The restrictions, limitations, and requirements applicable to specific powers or authorities of federal mutual savings banks shall apply to mutual savings banks exercising those powers or authorities permitted under this section but only insofar as the restrictions, limitations, and requirements relate to exercising the powers or authorities granted mutual savings banks solely under this section.

NEW SECTION. Sec. 4. A new section is added to chapter 32.08 RCW to read as follows:

No mutual savings bank or wholly owned subsidiary thereof shall act as trustee for common trust funds established for the benefit of more than one beneficiary under more than one trust agreement, unless the savings bank or subsidiary trust company shall first give written notice to the supervisor, at least sixty days prior to the creation of any such fund.

Sec. 5. Section 12, chapter 86, Laws of 1981 and RCW 32.08.225 are each amended to read as follows:

Any mutual savings bank may through any device sell, purchase, exchange, issue evidence of a sale or exchange of, or in any manner deal in any form of sale or exchange of interest rate exchange agreements, loans, or any interest therein including but not being limited to mortgage passthrough issues, mortgage backed bond issues, and loan participations and may purchase a subordinated portion thereof, issue letters of credit to insure against losses on a portion thereof, agree to repurchase all or a portion thereof, guarantee all or a portion of

the payments thereof, and without any implied limitation by the foregoing or otherwise, do any and all things necessary or convenient to take part in or effectuate any ~~((loan))~~ such sales or exchanges by a mutual savings bank itself or by a subsidiary thereof.

Sec. 6. Section 32.12.020, chapter 13, Laws of 1955 as last amended by section 53, chapter 3, Laws of 1983 and RCW 32.12.020 are each amended to read as follows:

The sums deposited with any savings bank, together with any dividends or interest credited thereto, shall be repaid to the depositors thereof respectively, or to their legal representatives, after demand in such manner, and at such times, and under such regulations, as the board of trustees shall prescribe, subject to the provisions of this section and chapter 30.22 RCW. Such regulations shall be posted in a conspicuous place in the room where the business of such savings bank shall be transacted, and shall be available to depositors upon request. All such rules and regulations, and all amendments thereto, from time to time in effect, shall be binding upon all depositors.

(1) Such bank may at any time by a resolution of its board of trustees require a notice of not more than six months before repaying deposits, in which event no deposit shall be due or payable until the required notice of intention to withdraw the same shall have been personally given by the depositor: PROVIDED, That such bank at its option may pay any deposit or deposits before the expiration of such notice. But no bank shall agree with its depositors or any of them in advance to waive the requirement of notice as herein provided: PROVIDED, That the bank may create a special class of depositors who shall be entitled to receive their deposits upon demand.

(2) Except as provided in subdivisions (3), (4), and (5) of this section the savings bank shall not pay any dividend, or interest, or deposit, or portion thereof, or any check drawn upon it by a depositor unless the certificate of deposit is produced or bears a legend stating it may be paid without production, or the passbook of the depositor is produced and the proper entry is made therein, at the time of the payment.

(3) The board of trustees of any such bank may by its bylaws provide for making payments in cases of loss of passbook or certificate of deposit, or other exceptional cases where the passbooks or certificates of deposit cannot be produced without loss or serious inconvenience to depositors, the right to make such payments to cease when so directed by the supervisor upon his being satisfied that such right is being improperly exercised by any such bank; but payments may be made at any time upon the judgment or order of a court.

(4) The board of trustees of any such bank may by its bylaws provide for making payments to depositors at their request, of dividends or interest payable on any deposit, without requiring the production of the passbook or certificate of deposit of the depositor, and any payment made in accordance with any such request and the receipt or acquittance of the one to whom such payment is made shall be a valid and sufficient release and discharge to such savings bank for all payments made on account of such request prior to receipt by such savings bank of notice in writing not to pay such sums in accordance with the terms of such request.

(5) The issuance of a passbook or certificate of deposit may be omitted for any account if ~~((a ledger))~~ an adequate record thereof is maintained, in lieu of a passbook or certificate of deposit, on which shall be entered deposits, withdrawals, and interest credited: PROVIDED, That in any event a passbook ~~((or certificate of deposit))~~ shall be issued upon the request of any passbook account depositor.

Sec. 7. Section 32.12.050, chapter 13, Laws of 1955 as amended by section 1, chapter 44, Laws of 1983 and RCW 32.12.050 are each amended to read as follows:

(1) No savings bank shall by any system of accounting, or any device of bookkeeping, directly or indirectly, enter any of its assets upon its books in the name of any other individual, partnership, unincorporated association, or corporation, or under any title or designation that is not in accordance with the actual facts.

(2) The bonds, notes, mortgages, or other interest bearing obligations purchased or acquired by a savings bank, shall not be entered on its books at more than the actual cost thereof, and shall not thereafter be carried upon its books for a longer period than until the next declaration of dividends, or in any event for more than one year, at a valuation exceeding their present cost as determined by amortization, that is, by deducting from the cost of any such security purchased for a sum in excess of the amount payable thereon at maturity and charging to 'profit and loss' a sufficient sum to bring it to par at maturity, or adding to the cost of any such security purchased at less than the amount payable thereon at maturity and crediting to 'profit and loss' a sufficient sum to bring it to par at maturity.

(3) No such bank shall enter, or at any time carry on its books, the real estate and the building or buildings thereon used by it as its place of business at a valuation exceeding their actual cost to the bank.

(4) Every such bank shall conform its methods of keeping its books and records to such orders in respect thereof as shall have been made and promulgated by the supervisor. Any officer, agent, or employee of any savings bank who refuses or neglects to obey any such order shall be punished as hereinafter provided.

(5) Real estate acquired by a savings bank, other than that acquired for use as a place of business, may be entered on the books of the bank at the actual cost thereof but shall not be carried beyond the current dividend period at an amount in excess of the amount of the debt in protection of which such real estate was acquired, plus the cost of any improvements thereto.

An appraisal (~~made by two or more persons appointed by the board of trustees;~~) shall be made by a qualified person of every such parcel of real estate within six months from the date of conveyance (~~and also within six months from date when any expenditure to improve such real estate is added to the book value~~). If the value at which such real estate is carried on the books is in excess of the value found on appraisal the book value shall, at the end of the dividend period during which such appraisal was made, be reduced to an amount not in excess of such appraised value.

(6) No such bank shall enter or carry on its books any asset which has been disallowed by the supervisor or the trustees of such bank, or any debt owing to it which has remained due without prosecution and upon which no interest has been paid for more than one year, or on which a judgment has been recovered which has remained unsatisfied for more than two years, unless the supervisor upon application by such savings bank has fixed a valuation at which such debt may be carried as an asset, or unless such debt is secured by first mortgage upon real estate, in which latter case it may be carried at the actual cash value of such real estate as determined by written appraisal signed by two or more persons appointed by the board of trustees and filed with it.

(7) Notwithstanding the prohibitions of this section, a savings bank may maintain its books and records and may enter and carry on its books any asset or liability at any valuation in accordance with any accounting rules promulgated or adopted by the federal deposit insurance corporation or the financial accounting standards board or the supervisor of banking.

Sec. 8. Section 32.16.010, chapter 13, Laws of 1955 and RCW 32.16.010 are each amended to read as follows:

(1) There shall be a board of trustees who shall have the entire management and control of the affairs of the savings bank. The persons named in the certificate of authorization shall be the first trustees. The board shall consist of not less than nine nor more than thirty members.

(2) A person shall not be a trustee of a savings bank, if he

(a) Is not a resident of ~~((this))~~ a state of the United States;

(b) Has been adjudicated a bankrupt or has taken the benefit of any insolvency law, or has made a general assignment for the benefit of creditors;

(c) Has suffered a judgment recovered against him for a sum of money to remain unsatisfied of record or unsecured on appeal for a period of more than three months;

(d) Is a trustee, officer, clerk, or other employee of any other savings bank.

(3) Nor shall a person be a trustee of a savings bank solely by reason of his holding public office.

Sec. 9. Section 32.16.040, chapter 13, Laws of 1955 as amended by section 4, chapter 55, Laws of 1969 and RCW 32.16.040 are each amended to read as follows:

(1) A quorum at any regular or special or adjourned meeting of the board of trustees shall consist of not less than five of whom the ~~((president))~~ chief executive officer shall be one, except when he is prevented from attending by sickness or other unavoidable detention, when he may be represented in forming a quorum by ~~((the first vice president, or in case of his absence for like cause, by the second vice president))~~ such other officer as the board may designate; but less than a quorum shall have power to adjourn from time to time until the next regular meeting. However, a savings bank may adopt procedures which provide that, in the event of a national emergency, any trustee may act on behalf of the board to continue the operations of the savings bank. For purposes of this subsection, a national emergency is an emergency declared by the president of the United States or the person performing the president's functions, or a war, or natural disaster.

Regular meetings of the board of trustees shall be held ~~((at least once a month))~~ as established from time to time by the board, not less than nine times during each year.

(2) The board of trustees shall by resolution duly recorded in the minutes, designate an officer or officers whose duty it shall be to prepare and submit to the trustees at each regular meeting of the board, or to an executive committee of not less than five members of such board, a written statement of the purchases and sales of securities, and of loans, made since the last regular meeting of the board. The statement shall be in such form as the board from time to time shall determine and there may be omitted from the statement such purchases and sales of securities and such loans as determined by the board.

Sec. 10. Section 32.16.050, chapter 13, Laws of 1955 as amended by section 6, chapter 80, Laws of 1957 and RCW 32.16.050 are each amended to read as follows:

(1) A trustee of a savings bank shall not directly or indirectly receive any pay or emolument for services as trustee, except as provided in this section.

(2) A trustee may receive, by affirmative vote of a majority of all the trustees, reasonable compensation for (a) attendance at meetings of the board of trustees; (b) service as an officer of the savings bank, provided his duties as officer require and receive his regular and faithful

attendance at the savings bank; (c) service in appraising real property for the savings bank; and (d) service as a member of a committee of the board of trustees: PROVIDED, That a trustee receiving compensation for service as an officer pursuant to (b) shall not receive any additional compensation for service under (a), (c) or (d).

(3) An attorney for a savings bank, although he is a trustee thereof, may receive a reasonable compensation for his professional services, including examinations and certificates of title to real property on which mortgage loans are made by the savings bank; or if the bank requires the borrowers to pay all expenses of searches, examinations, and certificates of title, including the drawing, perfecting, and recording of papers, such attorney may collect of the borrower and retain for his own use the usual fees for such services, excepting any commissions as broker or on account of placing or accepting such mortgage loans.

(4) All incentive compensation, bonus, or supplemental compensation plans for officers and employees of a savings bank shall be approved by a majority of nonofficer trustees of the savings bank. No such plan shall permit any officer or employee of a savings bank who has or exercises final authority with regard to any loan or investment to receive any commission on such loan or investment.

(5) If an officer or attorney of a savings bank receives, on any loan made by the bank, any commission which he is not authorized by this section to retain for his own use, he shall immediately pay the same over to the savings bank.

Sec. 11. Section 32.20.090, chapter 13, Laws of 1955 and RCW 32.20.090 are each amended to read as follows:

A mutual savings bank may invest ~~((its funds in the bonds of any county, incorporated city, or the school district of any such city, situated in the United States: PROVIDED, That such county, city, or school district has a population as shown by the federal census next preceding the investment, of not less than forty-five thousand inhabitants, and has power to levy taxes on the taxable real property therein for the payment of such obligations without limitation of rate or amount, and at the time of the investment the indebtedness of such county does not exceed seven percent of the valuation of such county for the purposes of taxation, or the indebtedness of such city or school district, together with the indebtedness of any district (other than local improvement district) or other municipal corporation or subdivision, except a county, which is wholly or in part included within the bounds or limits of said city or school district, less its water debt and sinking fund, does not exceed twelve percent of the valuation of such city or school district for purposes of taxation: OR PROVIDED, That such county, city, or school district has a population as shown by the last decennial federal census of not less than one hundred fifty thousand inhabitants, and has taxable real property with an assessed valuation in excess of two hundred million dollars, and has power to levy taxes on the taxable real property therein for the payment of such obligations without limitation of rate or amount))~~ in housing or industrial development bonds or municipal obligations issued by a state, county, parish, borough, city, or district situated in the United States, or by any instrumentality thereof, provided such bonds or obligations at the time of purchase are prudent investments.

Sec. 12. Section 32.20.220, chapter 13, Laws of 1955 and RCW 32.20.220 are each amended to read as follows:

A mutual savings bank may invest not to exceed twenty percent of its funds in ~~((bankers' acceptances and bills of exchange of the kind and character))~~ the following:

(1) Bankers' acceptances, and bills of exchange made eligible by law for rediscount with federal reserve banks, provided the same are accepted by a bank or trust company which is a member of the federal reserve system and which has a capital and surplus of not less than two million dollars, or commercial paper which is a prudent investment.

(2) Bills of exchange drawn by the seller on the purchaser of goods and accepted by such purchaser, of the kind made eligible by law for rediscount with federal reserve banks, provided the same are indorsed by a bank or trust company which is a member of the federal reserve system and which has a capital and surplus of not less than two million dollars.

The aggregate amount of the liability of any bank or trust company to any mutual savings bank, whether as principal or indorser, for acceptances held by such savings bank and deposits made with it, shall not exceed twenty-five percent of the paid up capital and surplus of such bank or trust company, and not more than five percent of the funds of any mutual savings bank shall be invested in the acceptances of or deposited with a bank or trust company of which a trustee of such mutual savings bank is a director.

Sec. 13. Section 6, chapter 80, Laws of 1955 as last amended by section 7, chapter 31, Laws of 1973 1st ex. sess. and RCW 32.20.330 are each amended to read as follows:

A mutual savings bank may invest ~~((not to exceed fifteen percent of its funds in such))~~ in preferred stock, or in discounted or other interest bearing obligations issued, guaranteed or assumed by corporations commonly accepted as industrial corporations or engaged in communications, transportation, furnishing utility or telephone services, manufacturing, mining, merchandising, banking, or commercial financing, incorporated under the laws of the United States, or any state thereof, or the District of Columbia, or the Dominion of Canada, or any province thereof, ((as mature within thirty years from the time of the investment;)) subject to the following conditions:



(1) Not more than two percent of said bank's funds shall be invested in ~~((such obligations)) securities of any one such corporation, pursuant to this section ((or otherwise)).~~

(2) Such ~~((obligations at the time of purchase are rated among the three highest classifications of one or more nationally recognized investment rating services)) securities shall be prudent investments.~~

(3) Pursuant to this section, the total amount a savings bank may invest shall not exceed fifty percent of its funds, and not more than fifteen percent of the bank's funds may be invested in such securities of any industry.

Sec. 14. Section 32.24.030, chapter 13, Laws of 1955 and RCW 32.24.030 are each amended to read as follows:

~~((A)) An unconverted mutual savings bank may for the purpose of consolidation, acquisition, pooling of assets, merger, or voluntary liquidation ((transfer)) arrange for its assets and liabilities to become assets and liabilities of another mutual savings bank, by the affirmative vote or with the written consent of two-thirds of the whole number of its trustees, but only with the written consent of the supervisor and upon such terms and conditions as he may prescribe.~~

Upon any such transfer being made, or upon the liquidation of any such mutual savings bank for any cause whatever, or upon its being no longer engaged in the business of a mutual savings bank, the supervisor shall terminate its certificate of authority, which shall not thereafter be revived or renewed. When the certificate of authority of any such corporation has been revoked, it shall forthwith collect and distribute its remaining assets, and when that is done, the supervisor shall certify the fact to the secretary of state, whereupon the corporation shall cease to exist and the secretary of state shall note the fact upon his records.

In case of the consolidation or voluntary liquidation of a mutual savings bank by another mutual savings bank, as herein provided, any sums advanced by its incorporators, or others, to create or maintain its guaranty fund or its expense fund shall not be liabilities of such mutual savings bank unless the mutual savings bank, so assuming its liabilities shall specifically undertake to pay the same, or a stated portion thereof.

Sec. 15. Section 32.24.080, chapter 13, Laws of 1955 and RCW 32.24.080 are each amended to read as follows:

Every transfer of its property or assets by any mutual savings bank in this state, made ~~((in contemplation of insolvency, or)) (1) after it has become insolvent, (2) within ninety days before the date the supervisor takes possession of such savings bank under RCW 32.24.050 or the federal deposit insurance corporation is appointed as receiver or liquidator of such savings bank under RCW 32.24.090, and (3) with the view to the preference of one creditor over another((:)) or to prevent equal distribution of its property and assets among its creditors, shall be void. Every trustee, officer, or employee making any such transfer shall be guilty of a felony.~~

Sec. 16. Section 4, chapter 85, Laws of 1981 and RCW 32.32.025 are each amended to read as follows:

As used in this chapter, the following definitions apply, unless the context otherwise requires:

(1) Except as provided in RCW 32.32.230, an 'affiliate' of, or a person 'affiliated' with, a specified person, is a person that directly, or indirectly through one or more intermediaries, controls, or is controlled by, or is under common control with, the person specified.

(2) The term 'amount', when used in regard to securities, means the principal amount if relating to evidences of indebtedness, the number of shares if relating to shares, and the number of units if relating to any other kind of security.

(3) An 'applicant' is a mutual savings bank which has applied to convert pursuant to this chapter.

(4) The term 'associate', when used to indicate a relationship with any person, means (a) any corporation or organization (other than the applicant or a majority-owned subsidiary of the applicant) of which the person is an officer or partner or is, directly or indirectly, the beneficial owner of ten percent or more of any class of equity securities, (b) any trust or other estate in which the person has a substantial beneficial interest or as to which the person serves as trustee or in a similar fiduciary capacity, and (c) any relative who would be a 'class A beneficiary' under RCW 83.08.005 if the person were a decedent.

(5) The term 'broker' means any person engaged in the business of effecting transactions in securities for the account of others.

(6) The term 'capital stock' includes permanent stock, guaranty stock, permanent reserve stock, ~~((or)) any similar certificate evidencing nonwithdrawable capital, or preferred stock, of a savings bank converted under this chapter or of a subsidiary institution or holding company.~~

(7) The term 'charter' includes articles of incorporation, articles of reincorporation, and certificates of incorporation, as amended, effecting (either with or without filing with any governmental agency) the organization or creation of an incorporated person.

(8) Except as provided in RCW 32.32.230, the term 'control' (including the terms 'controlling', 'controlled by', and 'under common control with') means the possession, direct or indirect, of the power to direct or cause the direction of the management and policies of a person, whether through the ownership of voting securities, by contract, or otherwise.

(9) The term 'dealer' means any person who engages either for all or part of his time, directly or indirectly, as agent, broker, or principal, in the business of offering, buying, selling, or otherwise dealing or trading in securities issued by another person.

(10) The term 'director' means any director of a corporation, any trustee of a mutual savings bank, or any person performing similar functions with respect to any organization whether incorporated or unincorporated.

(11) The term 'eligibility record date' means the record date for determining eligible account holders of a converting mutual savings bank.

(12) The term 'eligible account holder' means any person holding a qualifying deposit as determined in accordance with RCW 32.32.180.

(13) The term 'employee' does not include a director or officer.

(14) The term 'equity security' means any stock or similar security; or any security convertible, with or without consideration, into such a security, or carrying any warrant or right to subscribe to or purchase such a security; or any such warrant or right.

(15) The term 'market maker' means a dealer who, with respect to a particular security, (a) regularly publishes bona fide, competitive bid and offer quotations in a recognized interdealer quotation system; or (b) furnishes bona fide competitive bid and offer quotations on request; and (c) is ready, willing, and able to effect transaction in reasonable quantities at his quoted prices with other brokers or dealers.

(16) The term 'material', when used to qualify a requirement for the furnishing of information as to any subject, limits the information required to those matters as to which an average prudent investor ought reasonably to be informed before purchasing an equity security of the applicant.

(17) The term 'mutual savings bank' means a mutual savings bank organized and operating under Title 32 RCW.

(18) Except as provided in RCW 32.32.435, the term 'offer', 'offer to sell', or 'offer of sale' shall include every attempt or offer to dispose of, or solicitation of an offer to buy, a security or interest in a security, for value. These terms shall not include preliminary negotiations or agreements between an applicant and any underwriter or among underwriters who are or are to be in privity of contract with an applicant.

(19) The term 'officer', for purposes of the purchase of stock in a conversion under this chapter or the sale of this stock, means the chairman of the board, president, vice president, secretary, treasurer or principal financial officer, comptroller or principal accounting officer, and any other person performing similar functions with respect to any organization whether incorporated or unincorporated.

(20) Except as provided in RCW 32.32.435, the term 'person' means an individual, a corporation, a partnership, an association, a joint-stock company, a trust, any unincorporated organization, or a government or political subdivision thereof.

(21) The term 'proxy' includes every form of authorization by which a person is or may be deemed to be designated to act for a stockholder in the exercise of his voting rights in the affairs of an institution. Such an authorization may take the form of failure to dissent or object.

(22) The terms 'purchase' and 'buy' include every contract to purchase, buy, or otherwise acquire a security or interest in a security for value.

(23) The terms 'sale' and 'sell' include every contract to sell or otherwise dispose of a security or interest in a security for value; but these terms do not include an exchange of securities in connection with a merger or acquisition approved by the supervisor.

(24) The term 'savings account' means deposits established in a mutual savings bank and includes certificates of deposit.

(25) Except as provided in RCW 32.32.435, the term 'security' includes any note, stock, treasury stock, bond, debenture, transferable share, investment contract, voting-trust certificate, or in general, any instrument commonly known as a 'security'; or any certificate of interest or participation in, temporary or interim certificate for, receipt for, or warrant or right to subscribe to or purchase any of the foregoing.

(26) The term 'subscription offering' refers to the offering of shares of capital stock, through nontransferable subscription rights issued to: (a) Eligible account holders as required by RCW 32.32.045; (b) supplemental eligible account holders as required by RCW 32.32.055; (c) directors, officers, and employees, as permitted by RCW 32.32.140; and (d) eligible account holders and supplemental eligible account holders as permitted by RCW 32.32.145.

(27) A 'subsidiary' of a specified person is an affiliate controlled by the person, directly or indirectly through one or more intermediaries.

(28) The term 'supervisor' means the supervisor of banking.

(29) The term 'supplemental eligibility record date' means the supplemental record date for determining supplemental eligible account holders of a converting savings bank required by RCW 32.32.055. The date shall be the last day of the calendar quarter preceding supervisor approval of the application for conversion.

(30) The term 'supplemental eligible account holder' means any person holding a qualifying deposit, except officers, directors, and their associates, as of the supplemental eligibility record date.

(31) The term 'underwriter' means any person who has purchased from an applicant with a view to, or offers or sells for an applicant in connection with, the distribution of any security, or participates or has a direct or indirect participation in the direct or indirect underwriting of any such undertaking; but the term does not include a person whose interest is limited to a commission from an underwriter or dealer not in excess of the usual and customary distributors' or sellers commission. The term 'principal underwriter' means an underwriter in privity of contract with the applicant or other issuer of securities as to which that person is the underwriter.

Terms defined in other chapters of this title, when used in this chapter, shall have the meanings given in those definitions, to the extent those definitions are not inconsistent with the definitions contained in this chapter unless the context otherwise requires.

Sec. 17. Section 7, chapter 85, Laws of 1981 and RCW 32.32.040 are each amended to read as follows:

(The converting)) A converted savings bank or a holding company organized pursuant to chapter 32.34 RCW shall issue and sell ((the) capital stock at a total price equal to the estimated pro forma market value of the stock ((in the converted savings bank)) issued in connection with the conversion, based on an independent valuation, as provided in RCW 32.32.305. In the conversion of a mutual savings bank or holding company, either of which is in the process of merging with, being acquired by, or consolidating with a stock savings bank, or a savings bank holding company owned by stockholders, or a subsidiary thereof, the following subsections apply:

(1) The price per share of the shares offered for subscription and issued in the conversion shall be not less than the price reported for stock which is listed on a national or regional stock exchange, or the bid price for stock which is traded on the NASDAQ system, as of the day before any public offering or other completion of the sale of stock in the conversion: PROVIDED, That for stock not so listed and not traded on the NASDAQ system, and any stock whose price has been affected, as of the day specified above, by a violation of RCW 32.32.225, the price per share shall be determined by the supervisor, upon the submission of such information as the supervisor may request.

(2) The independent valuation as provided in RCW 32.32.305 shall determine the aggregate value of shares for which subscription rights are granted pursuant to RCW 32.32.045, 32.32.050, and 32.32.055, rather than a price per share or number of shares as provided in RCW 32.32.290, 32.32.325, and 32.32.330. This independent valuation may be replaced by a demonstration, to the satisfaction of the supervisor, of the fairness of the price of the shares issued.

Sec. 18. Section 22, chapter 85, Laws of 1981 and RCW 32.32.115 are each amended to read as follows:

In connection with shares of capital stock subject to restriction on sale for a period of time:

(1) Each certificate for the stock shall bear a legend giving appropriate notice of the restriction;

(2) Appropriate instructions shall be issued to the transfer agent for the ((converted savings bank's)) capital stock with respect to applicable restrictions on transfer of any such restricted stock; and

(3) Any shares issued as a stock dividend, stock split, or otherwise with respect to any such restricted stock shall be subject to the same restrictions as may apply to the restricted stock.

Sec. 19. Section 23, chapter 85, Laws of 1981 and RCW 32.32.120 are each amended to read as follows:

(The converting)) A converted savings bank or holding company formed under chapter 32.34 RCW shall:

(1) Promptly following ((the)) its conversion register the securities issued in connection therewith pursuant to the Securities and Exchange Act of 1934 and undertake not to deregister the securities for a period of three years thereafter;

(2) Use its best efforts to encourage and assist a market maker to establish and maintain a market for the securities issued in connection with the conversion; and

(3) Use its best efforts to list those shares issued in connection with the conversion on a national or regional securities exchange or on the NASDAQ quotation system.

Sec. 20. Section 29, chapter 85, Laws of 1981 and RCW 32.32.150 are each amended to read as follows:

Any insignificant residue of shares ((of the converting savings bank)) not sold in the subscription offering or in a public offering referred to in RCW 32.32.060 may be sold in such other manner as provided in the plan with the supervisor's approval.

Sec. 21. Section 41, chapter 85, Laws of 1981 and RCW 32.32.210 are each amended to read as follows:

No converted savings bank may repurchase any of its capital stock from any person unless the repurchase is approved by the supervisor either in advance or at the time of repurchase.

Sec. 22. Section 42, chapter 85, Laws of 1981 and RCW 32.32.215 are each amended to read as follows:

Except as provided in section 24 of this 1985 act, no converted savings bank may declare or pay a cash dividend unless the declaration or payment of the dividend would be in

accordance with the requirements of RCW 30.04.180 and would not have the effect of reducing the net worth of the converted savings bank below (1) the amount required for the liquidation account or (2) the amount required by the supervisor.

Sec. 23. Section 43, chapter 85, Laws of 1981 and RCW 32.32.220 are each amended to read as follows:

Except as provided in section 24 of this 1985 act, no converted savings bank may, without the prior approval of the supervisor, ((no converted savings bank may)) for a period of ten years after the date of its conversion, declare or pay a cash dividend on its capital stock in an amount in excess of one-half of the greater of:

- (1) The savings bank's net income for the current fiscal year; or
- (2) The average of the savings bank's net income for the current fiscal year and not more than two of the immediately preceding fiscal years.

For purposes of this chapter, 'net income' shall be determined by generally accepted accounting principles.

NEW SECTION. Sec. 24. A new section is added to chapter 32.32 RCW to read as follows:

A converted mutual savings bank may pay dividends on preferred stock at the rate or rates agreed in connection with the issuance of preferred stock if such issuance has been approved by the supervisor.

NEW SECTION. Sec. 25. A new section is added to chapter 32.32 RCW to read as follows:

(1) As used in this section, the following definitions apply:

(a) 'Control' means directly or indirectly alone or in concert with others to own, control, or hold the power to vote twenty-five percent or more of the outstanding stock or voting power of the controlled entity;

(b) 'Acquiring party' means the person acquiring control of a bank through the purchase of stock;

(c) 'Person' means any individual, corporation, partnership, group acting in concert, association, business trust, or other organization.

(2) (a) It is unlawful for any person to acquire control of a converted savings bank until thirty days after filing with the supervisor a completed application. The application shall be under oath or affirmation, and shall contain substantially all of the following information plus any additional information that the supervisor may prescribe as necessary or appropriate in the particular instance for the protection of bank depositors, borrowers, or shareholders and the public interest:

(i) The identity and banking and business experience of each person by whom or on whose behalf acquisition is to be made;

(ii) The financial and managerial resources and future prospects of each person involved in the acquisition;

(iii) The terms and conditions of any proposed acquisition and the manner in which the acquisition is to be made;

(iv) The source and amount of the funds or other consideration used or to be used in making the acquisition, and a description of the transaction and the names of the parties if any part of these funds or other consideration has been or is to be borrowed or otherwise obtained for the purpose of making the acquisition;

(v) Any plan or proposal which any person making the acquisition may have to liquidate the bank, to sell its assets, to merge it with any other bank, or to make any other major change in its business or corporate structure or management;

(vi) The identification of any person employed, retained, or to be compensated by the acquiring party, or by any person on its behalf, who makes solicitations or recommendations to shareholders for the purpose of assisting in the acquisition and a brief description of the terms of the employment, retainer, or arrangement for compensation;

(vii) Copies of all invitations for tenders or advertisements making a tender offer to shareholders for the purchase of their stock to be used in connection with the proposed acquisition; and

(viii) Such additional information as shall be necessary to satisfy the supervisor, in the exercise of the supervisor's discretion, that each such person and associate meets the standards of character, responsibility, and general fitness established for incorporators of a savings bank under RCW 32.08.040.

(b) Notwithstanding any other provision of this section, a bank or bank holding company which has been in operation for at least three consecutive years or a converted mutual savings bank or the holding company of a mutual savings bank need only notify the supervisor and the savings bank to be acquired of an intent to acquire control and the date of the proposed acquisition of control at least thirty days before the date of the acquisition of control.

(c) When a person, other than an individual or corporation, is required to file an application under this section, the supervisor may require that the information required by (a) (i), (ii), (vi), and (viii) of this subsection be given with respect to each person, as defined in subsection (1)(c) of this section, who has an interest in or controls a person filing an application under this subsection.

(d) When a corporation is required to file an application under this section, the supervisor may require that information required by (a) (i), (ii), (vi), and (viii) of this subsection be given for the corporation, each officer and director of the corporation, and each person who is directly or indirectly the beneficial owner of twenty-five percent or more of the outstanding voting securities of the corporation.

(e) If any tender offer, request, or invitation for tenders or other agreements to acquire control is proposed to be made by means of a registration statement under the securities act of 1933 (48 Stat. 74, 15 U.S.C. Sec. 77(a)), as amended, or in circumstances requiring the disclosure of similar information under the securities exchange act of 1934 (48 Stat. 881, 15 U.S.C. Sec. 78(a)), as amended, the registration statement or application may be filed with the supervisor in lieu of the requirements of this section.

(f) Any acquiring party shall also deliver a copy of any notice or application required by this section to the savings bank proposed to be acquired within two days after such notice or application is filed with the supervisor.

(g) Any acquisition of control in violation of this section shall be ineffective and void.

(h) Any person who willfully or intentionally violates this section or any rule adopted under this section is guilty of a gross misdemeanor pursuant to chapter 9A.20 RCW. Each day's violation shall be considered a separate violation, and any person shall upon conviction be fined not more than one thousand dollars for each day the violation continues.

(3) The supervisor may file an action in the superior court of the county in which the bank is located to restrain the pending acquisition of control of a savings bank if he finds after considering the application and within thirty days after its filing any of the following:

(a) The poor financial condition of any acquiring party might jeopardize the financial stability of the savings bank or might prejudice the interest of depositors, borrowers, or shareholders;

(b) The plan or proposal of the acquiring party to liquidate the savings bank, to sell its assets, to merge it with any person, or to make any other major change in its business or corporate structure or management is not fair and reasonable to its depositors, borrowers, or stockholders or is not in public interest;

(c) The banking and business experience and integrity of any acquiring party who would control the operation of the savings bank indicates that approval would not be in the interest of the savings bank's depositors, borrowers, or shareholders;

(d) The information provided by the application is insufficient for the supervisor to make a determination or there has been insufficient time to verify the information provided and conduct an examination of the qualification of the acquiring party; or

(e) The acquisition would not be in the public interest.

(4) (a) For a period of ten years following the acquisition of control by any person, neither such acquiring party nor any associate shall receive any loan or the use of any of the funds of, nor purchase, lease, or otherwise receive any property from, nor receive any consideration from the sale, lease, or any other conveyance of property to, any savings bank in which the acquiring party has control except as provided in (b) of this subsection.

(b) Upon application by any acquiring party or associate subject to (a) of this subsection, the supervisor may approve a transaction between a converted savings bank and such acquiring party, person, or associate, upon finding that the terms and conditions of the transaction are at least as advantageous to the savings bank as the savings bank would obtain in a comparable transaction with an unaffiliated person.

(5) Except with the consent of the supervisor, no converted savings bank shall, for the purpose of enabling any person to purchase any or all shares of its capital stock, pledge or otherwise transfer any of its assets as security for a loan to such person or to any associate, or pay any dividend to any such person or associate. Nothing in this section shall prohibit a dividend of stock among shareholders in proportion to their shareholdings. In the event any clause of this section is declared to be unconstitutional or otherwise invalid, all remaining dependent and independent clauses of this section shall remain in full force and effect.

Sec. 26, Section 45, chapter 85, Laws of 1981 and RCW 32.32.230 are each amended to read as follows:

(1) No conversion may be approved by the supervisor unless the plan of conversion provides that the converted savings bank shall enter into an agreement with the supervisor, in form satisfactory to the supervisor, which shall provide that for a period of three years following the conversion any company significantly engaged in an unrelated business activity, either directly or through an affiliate thereof, shall not be permitted, regardless of the form of the transaction, to acquire control of the converted savings bank. Any acquisition of a converted savings bank shall also comply with (~~RCW 30.04.400 through 30.04.410~~) section 25 of this 1985 act.

(2) As used in this section:

(a) The term 'affiliate' means any person or company which controls, is controlled by, or is under common control with, a specified company.

(b) A person or company shall be deemed to have 'control' of:

(i) A savings bank if the person directly or indirectly or acting in concert with one or more other persons, or through one or more subsidiaries, owns, controls, or holds with power to vote, or holds proxies representing, more than twenty-five percent of the voting shares of the savings bank, or controls in any manner the election of a majority of the directors of the bank;

(ii) Any other company if the person directly or indirectly or acting in concert with one or more other persons, or through one or more subsidiaries, owns, controls, or holds with power to vote, or holds proxies representing, more than twenty-five percent of the voting shares or rights of the other company, or controls in any manner the election or appointment of a majority of the directors or trustees of the other company, or is a general partner in or has contributed more than twenty-five percent of the capital of the other company;

(iii) A trust if the person is a trustee thereof; or

(iv) A savings bank or any other company if the supervisor determines, after reasonable notice and opportunity for hearing, that the person directly or indirectly exercises a controlling influence over the management or policies of the savings bank or other company.

(c) A company shall be deemed to be 'significantly engaged' in an unrelated business activity if its unrelated business activities would represent, on either an actual or a pro forma basis, more than fifteen percent of its consolidated net worth at the close of this preceding fiscal year or of its consolidated net earnings for such fiscal year.

(d) The term 'unrelated business activity' means any business activity not authorized for a savings bank or any subsidiary thereof.

Sec. 27. Section 52, chapter 85, Laws of 1981 and RCW 32.32.265 are each amended to read as follows:

Upon determination that an application for conversion is properly executed and is not materially incomplete, the supervisor shall advise the applicant, in writing, to publish notices of the filing of the application. Promptly after receipt of the advice, the applicant shall furnish a written notice of the filing to each eligible account holder and also publish a notice of the filing in a newspaper printed in the English language and having general circulation in each community in which an office of the applicant is located, as follows:

NOTICE OF FILING OF AN APPLICATION FOR  
APPROVAL TO CONVERT TO A  
STOCK SAVINGS BANK

Notice is hereby given that, pursuant to chapter 32.32 of the Revised Code of Washington

.....  
(fill in name of applicant)

has filed an application with the Supervisor of Banking for approval to convert to the stock form of organization. Copies of the application have been delivered to \_\_\_\_\_  
(address)

Written comments, including objections to the plan of conversion and materials supporting the objections, from any account holder of the applicant or aggrieved person, will be considered by the supervisor if filed within twenty business days after the date of this notice. Failure to make written comments in objection may preclude the pursuit of any administrative or judicial remedies. Three copies of the comments should be sent to the aforementioned. The proposed plan of conversion and any comments thereon will be available for inspection by any account holder of the applicant at \_\_\_\_\_ (address). A copy of the plan may also be inspected at each office of the applicant.

If a significant number of the applicant's account holders speak a language other than English and a newspaper in that language is published in the area served by the applicant, an appropriate translation of the notice shall also be published in that newspaper. A notice sent by mail may be accompanied by the statement that the converting institution will not mail a subscription offering circular to an eligible account holder or a supplemental eligible account holder unless the eligible account holder or the supplemental eligible account holder, prior to the commencement of the subscription offering, requests the subscription offering circular by returning a postcard. The issuer of stock in the conversion shall pay the postage of this postcard and shall inform the eligible account holder or supplemental eligible holder that the postage is paid.

Sec. 28. Section 97, chapter 85, Laws of 1981 and RCW 32.32.490 are each amended to read as follows:

Amendments to the articles of incorporation of the converted savings bank shall be made ~~((in accordance with the procedures specified in RCW 30.08.088 and 30.08.090, provided that the amendments are also approved by the supervisor))~~ only with the approvals of the supervisor, of two-thirds of the directors of the savings bank, and of the holders of a majority of each class of the outstanding shares of capital stock or such greater percentage of these shares as may be specified in the articles of the converted savings bank.

Sec. 29. Section 98, chapter 85, Laws of 1981 as amended by section 3, chapter 44, Laws of 1983 and RCW 32.32.495 are each amended to read as follows:

(1) Every converted savings bank shall be managed by not less than five directors, except that a bank having a capital of fifty thousand dollars or less may have only three directors. Directors shall be elected by the stockholders and hold office for one year and until their successors are elected and have qualified. In the first instance the directors shall be those named in the articles of incorporation and afterwards, those elected at the annual meeting of the stockholders to be held at least once each year on a day to be specified by the converted savings bank's bylaws but not later than May 15th of each year. If for any cause an election is not held at that time, it may be held at an adjourned meeting or at a subsequent meeting called for that purpose in the manner prescribed by the corporation's bylaws. Each director shall be a resident of a state of the United States. The directors shall meet at least ((once)) nine times each ((month)) year and whenever required by the supervisor. A majority of the board of directors shall constitute a quorum for the transaction of business. At all stockholders' meetings, each share shall be entitled to one vote, unless the articles of incorporation provide otherwise. Any stockholder may vote in person or by written proxy.

(2) If the board of directors consists of nine or more members, in lieu of electing the entire number of directors annually, the converted savings bank's articles of incorporation or bylaws may provide that the directors be divided into either two or three classes, each class to be as nearly equal in number as possible, the term of office of directors of the first class to expire at the first annual meeting of shareholders after their election, that of the second class to expire at the second annual meeting after their election, and that of the third class, if any, to expire at the third annual meeting after their election. At each annual meeting after such classification, the number of directors equal to the number of the class whose term expires at the time of such meeting shall be elected to hold office until the second succeeding annual meeting, if there are two classes, or until the third succeeding annual meeting, if there are three classes. A classification of directors shall not be effective prior to the first annual meeting of shareholders.

(3) Immediately upon election, each director shall take, subscribe, swear to, and file with the supervisor an oath that he will, so far as the duty devolves upon him, diligently and honestly administer the affairs of the corporation and will not knowingly violate or willingly permit to be violated any provision of law applicable to the corporation.

(4) A vacancy occurring in the board of directors may be filled by the affirmative vote of a majority of the remaining directors. A director elected to fill a vacancy shall be elected for the unexpired term of the director's predecessor in office. A directorship to be filled by reason of an increase in the number of directors may be filled by the board of directors for a term of office continuing only until the next election of directors by the shareholders.

NEW SECTION. Sec. 30. A new section is added to chapter 32.32 RCW to read as follows:

(1) In a conversion of an unconverted mutual savings bank that is in the process of acquisition by a savings bank holding company or in the process of merger or consolidation with a subsidiary of a savings bank holding company, the restrictions imposed by RCW 32.32.110 on resale of stock apply to shares of the holding company purchased on original issue by any director or officer of the converting savings bank that is in the process of acquisition, merger, or consolidation, and the restrictions imposed by this chapter apply to the ownership of capital stock in the holding company with the same force and effect as they would apply to the ownership of capital stock of the unconverted mutual savings bank if shares of this savings bank were offered to depositors or the public pursuant to this chapter.

(2) The tender of shares by directors and officers of a converted savings bank in exchange for shares of another converted savings bank, or for shares of a holding company, do not constitute a sale for purposes of RCW 32.32.110. However, the restrictions of RCW 32.32.110 and 32.32.115 apply to the resale of the shares they receive in such an exchange with the same force and effect as to the shares of the converted savings bank they purchased on original issue for a period of three years following the date of such purchase on original issue.

Sec. 31. Section 99, chapter 85, Laws of 1981 and RCW 32.32.500 are each amended to read as follows:

A mutual savings bank or bank converted under this chapter may merge with, consolidate with, convert into, acquire the assets of, or sell its assets to any other financial institution chartered under Titles 30, 32, or 33 RCW or under the National Bank Act, as amended, or the National Housing Act, as amended, or to a holding company thereof, subject to (1) the approval of the supervisor of banking if the surviving institution is one chartered under Title 30 or 32 RCW, or (2) approval of the supervisor of savings and loans if the surviving institution is one chartered under Title 33 RCW, or (3) if the surviving institution is to be a national bank, the comptroller of currency under 12 U.S.C. Sec. 35, 12 U.S.C. Sec. 215, 12 U.S.C. Sec. 215a, and 12 U.S.C. Sec. 1828c, or (4) if the surviving institution is to be a federal savings and loan association, the Federal Home Loan Bank Board under 12 U.S.C. Sec. 1464 (d)(11), or (5) if the surviving institution is to be a bank holding company, the Federal Reserve Board under 12 U.S.C. Sec. 1842 (a) and (d).

In the case of a liquidation, acquisition, merger, consolidation, or conversion of a converted savings bank, chapter ~~((s 30.44 and 30.49))~~ 32.34 RCW shall apply.

Sec. 32. Section 100, chapter 85, Laws of 1981 and RCW 32.32.505 are each amended to read as follows:

(1) It is the intention of the legislature to grant, by this chapter, authority to permit conversions by mutual savings banks to capital stock form, and the rights, powers, restrictions, limitations, and requirements of Title 32 RCW shall apply to a converted mutual savings bank except that, in the event of conflict between the provisions of this chapter and other provisions of Title 32 RCW, the other provisions shall be construed in favor of the accomplishment of the purposes of this chapter.

(2) References in the Revised Code of Washington as of the most recent effective date of any amendment, to mutual savings banks shall refer also to stock savings banks converted from mutual form under this chapter. References in the Revised Code of Washington to the board of trustees of a mutual savings bank shall refer also to the board of directors of a stock savings bank converted from mutual form under this chapter. The provisions of Title 30 RCW shall not apply to a converted mutual savings bank except insofar as the provisions would apply to a mutual savings bank.

**NEW SECTION.** Sec. 33. (1) The voluntary liquidation of a mutual savings bank converted to the stock form requires the affirmative vote or written consent of two-thirds of the directors of the converted savings bank, requires the affirmative vote of two-thirds of the outstanding stock of the savings bank, shall proceed as prescribed in chapter 32.24 RCW, and shall be complete upon the payment of any surplus remaining, after satisfaction of all debts and liabilities of the savings bank, to shareholders in accordance with their legal rights to such surplus.

(2) A savings bank which has converted to the stock form may sell all its assets and transfer all its liabilities upon the affirmative vote or with the written consent of two-thirds of its directors, and upon the affirmative vote of the holders of two-thirds of the outstanding voting shares in each class entitled to vote.

(3) Any merger or consolidation involving a mutual savings bank converted to stock form requires approval by two-thirds of the directors and by the holders of a majority of the outstanding voting shares in each class except that a merger or consolidation approved by two-thirds of the outstanding voting shares in each class requires approval by only a majority of the directors of the converted savings bank, and except as provided in subsection (4) of this section.

(4) A savings bank that has converted to the stock form may engage in a consolidation and pooling of assets upon the affirmative vote of two-thirds of its directors, if (a) the total assets of the converted savings bank, immediately prior to the day of the consolidation and pooling of assets, exceed two-thirds of the assets of the institution that would result from the consolidation and pooling of assets, (b) the converted savings bank will survive the consolidation and pooling of assets, without its shareholders surrendering their shares of stock in the converted savings bank, and (c) the other institution being merged or consolidated is a savings bank or savings and loan association.

(5) Any converted savings bank may provide in its articles of incorporation for a higher percentage of affirmative shareholder votes to approve any liquidation, sale of assets, merger, or consolidation.

**NEW SECTION.** Sec. 34. (1) No savings bank having capital stock may establish a holding company to own all its stock without the approval of the supervisor. Upon tender of their shares of the converted savings bank, the shareholders of the savings bank shall receive all the shares of the holding company which are outstanding at the time of this tender.

(2) Any company owning more than twenty-five percent of the outstanding voting stock of a savings bank doing business under this Title 32 RCW shall, in addition to the restrictions of section 25 of this act, be subject to regulation as a savings bank holding company. Any savings bank holding company which is not subject to regulation by the federal reserve board or the federal home loan bank board, and all holding company subsidiaries engaging in businesses which are not subject to regulation or licensing by the federal home loan bank board, the supervisor of savings and loan associations, the commissioner of insurance, or the administrator authorized to regulate loan companies doing business under Title 31 RCW, will be subject to such regulation of accounting practices and of the qualifications of directors and officers, and such inspection and visitation by the supervisor of banking as the supervisor shall deem appropriate, subject to the limitations imposed on regulation, inspection, and visitation of a savings bank under this title. In addition, any savings bank holding company and all holding company subsidiaries will be subject to visitation by the supervisor of banking as such shall deem appropriate, subject to the limitations imposed on visitation of a savings bank under this Title 32 RCW and under the supremacy clause of the Constitution of the United States. The savings bank subsidiary of this holding corporation may engage in subsequent mergers, consolidations, acquisitions, and conversions, only to the extent authorized by RCW 32.32.500, and only upon complying with the applicable requirements in section 33 of this act and this chapter.

(3) In the event a savings bank forms a subsidiary to carry out any of the powers of savings banks under this title, any institution with which this subsidiary merges shall continue to be subject to regulation, inspection, and visitation by the supervisor of savings and loans if the subsidiary is authorized to do business by Title 33 RCW.

**NEW SECTION.** Sec. 35. A savings bank not having capital stock may establish a business trust for the benefit of its depositors, with the approval of the supervisor and subject to such



rules and regulations as the supervisor may adopt. The supervisor may permit this business trust to become a mutual holding company owning all shares of an interim stock savings bank, the sole purpose of which shall be to merge into the mutual savings bank that formed the business trust. The depositors in an unconverted savings bank which has merged with the subsidiary of such a mutual holding company, in the event of a later conversion of this mutual holding company to the stock form, shall retain all their rights to their deposits in the savings bank, and shall also receive, without payment, nontransferable rights to subscribe for the stock of the holding company, and rights to a liquidation account maintained by the holding company in proportion to their deposits in the savings bank, to the same extent that they would receive these rights in a stock conversion of the savings bank as prescribed in chapter 32.32 RCW.

**NEW SECTION.** Sec. 36. (1) Any holder of shares of a savings bank shall be entitled to receive the value of these shares, as specified in subsection (2) of this section, if (a) the savings bank is voluntarily liquidating, being acquired, merging, or consolidating, (b) the shareholder voted, in person or by proxy, against the liquidation, acquisition, merger, or consolidation, at a meeting of shareholders called for the purpose of voting on such transaction, and (c) the shareholder delivers a written demand for payment, with the stock certificates, to the savings bank within thirty days after such meeting of shareholders. The value of shares shall be paid in cash, within ten days after receipt of the written demand and stock certificates, except that if three appraisers are appointed as specified in subsection (2) of this section, the payment shall be due forty-five days after receipt of such demand and stock certificates.

(2) The value of such shares shall be the price published for shares listed on a national securities exchange, and shall be the bid price published for shares traded over the counter, at the close of business on the business day before the shareholders' meeting at which the shareholder dissented, except that if such shares are not so listed or traded, or if the value so determined differs by twenty percent or more from the average of such prices for the shares during the thirty days prior to this business day, or if a violation of RCW 32.32.225 has affected such determination, then the value of the shares shall be determined, within forty days after delivery of the stock certificates, by three appraisers appointed as provided in RCW 30.49.090.

**NEW SECTION.** Sec. 37. Sections 33 through 36 of this act are each added to chapter 32.34 RCW.

**NEW SECTION.** Sec. 38. The following acts or parts of acts are each repealed:

- (1) Section 32.20.140, chapter 13, Laws of 1955 and RCW 32.20.140;
- (2) Section 32.20.150, chapter 13, Laws of 1955 and RCW 32.20.150;
- (3) Section 32.20.170, chapter 13, Laws of 1955, section 4, chapter 80, Laws of 1955 and RCW 32.20.170;
- (4) Section 32.20.180, chapter 13, Laws of 1955 and RCW 32.20.180; and
- (5) Section 32.20.190, chapter 13, Laws of 1955 and RCW 32.20.190.\*

Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Barrett, Crane, Grimm, Holland, P. King, Locke, Nutley, West and Winsley.

Absent: Representative Prince.

Passed to Committee on Rules for second reading.

April 1, 1985

**ESSB 3376** Prime Sponsor, Committee on Education: Establishing a higher education coordinating board. Reported by Committee on Higher Education

**MAJORITY recommendation:** Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

**NEW SECTION.** Sec. 1. The council for higher education is created. For purposes of this chapter, "council" means the council for higher education.

**NEW SECTION.** Sec. 2. The council's primary function is policy-making, representing the broad public interest above the interests of the individual institutions, and it shall be responsible for:

- (1) Providing a state-wide policy perspective for public higher education;
- (2) Enhancing the quality of higher education;
- (3) Establishing goals and developing plans;
- (4) Assuring coordination and efficient use of the state's educational resources; and
- (5) Making policy recommendations to the governor, the legislature, and the institutions of higher education.

**NEW SECTION.** Sec. 3. The council shall perform the following planning duties in consultation with the state's public four-year higher educational institutions, the community college system, and when appropriate the commission for vocational education, vocational-technical institutes, and the independent higher educational institutions:

- (1) Develop role and mission statements for each of the public four-year higher educational institutions and for the community college system;

- (2) Identify the state's higher educational goals, objectives, and priorities;
- (3) Prepare a state-wide plan including but not limited to:
  - (a) The state's higher educational needs;
  - (b) Recommendations on enrollment and other policies and actions to meet those needs;
  - (c) Recommendations to increase minority participation; and
  - (d) Policies on adult continuing education.

The plan shall be reviewed biennially. Comments on the plan from the council's advisory committees, the four-year institutions, the vocational-technical institutes, and the community college system will be submitted with the plan. The initial plan shall be submitted to the legislature by December 1, 1987. The legislature shall approve the plan or recommend changes by concurrent resolution. Biennial revisions of the plan shall be submitted to the appropriate legislative policy committees for their review and recommendations:

(4) Review, evaluate, and make recommendations on operating and capital budget requests from individual four-year public institutions and the community college system, based on the elements outlined in subsections (1), (2), and (3) of this section. Recommendations shall be submitted to the office of financial management before October 15 of each even-numbered year beginning in 1986, and to the legislature by January 1 of each odd-numbered year beginning in 1987. Budget outlines identifying major components shall be submitted to the council no later than August 1 of each even-numbered year beginning in 1986; and

(5) Recommend legislation and budget priorities.

NEW SECTION, Sec. 4. The council shall have the following program responsibilities:

(1) Approve the creation of any new degree programs and prepare fiscal notes on any such programs;

(2) Review, evaluate, and make recommendations for the modification, consolidation, or elimination of on-campus programs, subject to staffing availability;

(3) Review, evaluate, and approve, or modify, consolidate, or eliminate off-campus programs;

(4) Approve and adopt rules for the creation of higher education centers;

(5) Establish campus service areas and define on-campus and off-campus activities;

(6) Approve purchase or lease of off-campus facilities, subject to staffing availability; and

(7) Investigate, recommend, and encourage areas of specialization for public colleges and universities.

In the case of the community college system, these responsibilities may be delegated to the state board for community college education consistent with the policies and rules of the council.

NEW SECTION, Sec. 5. The council shall coordinate educational activities among all segments of higher education and shall have the following additional responsibilities:

(1) Promote interinstitutional cooperation;

(2) Establish minimum admission standards for public four-year institutions of higher education;

(3) Develop and implement transfer policies;

(4) Develop rules implementing statutory residency requirements;

(5) Develop and administer reciprocity agreements with bordering states and with the province of British Columbia;

(6) Establish compensation guidelines for exempt employees;

(7) Monitor higher educational activities for compliance with state educational policies;

(8) Arbitrate disputes among public institutions of higher education at the request of one or more of the institutions involved or at the request of the governor or from a resolution adopted by the legislature. The decision of the council is binding on the participants in the dispute;

(9) Prepare and submit to the legislature a statistical summary on the condition of higher education by December 1 of each year; and

(10) Adopt rules for operating higher education consortia that involve public or public and independent postsecondary institutions.

NEW SECTION, Sec. 6. The council shall administer the programs set forth in the following statutes: Chapter 28A.58 RCW (Washington scholars); chapter 28B.04 RCW (displaced homemakers); chapter 28B.05 RCW (education registration); RCW 28B.10.210 through 28B.10.220 (blind students subsidy); RCW 28B.10.800 through 28B.10.824 (student financial aid program); RCW 28B.10.830 through 28B.10.836 (tuition supplement program); chapter 28B.12 RCW (work study); RCW 28B.15.067 through 28B.15.076 (educational costs for establishing tuition and fees); RCW 28B.15.543 (tuition waivers for Washington scholars); RCW 28B.15.760 through 28B.15.766 (math and science loans); RCW 28B.80.150 through 28B.80.170 (student exchange compact); RCW 28B.80.240 (student aid programs); and RCW 28B.80.210 (federal programs).

NEW SECTION, Sec. 7. The council shall consist of members who are representative of the public, including women and the ethnic minority community, and shall be selected as follows: Eight citizen members, one from each congressional district and three citizens at large, each appointed by the governor with the consent of the senate.

Council members are expected to consistently attend council meetings. The attendance records for council meetings shall be provided to the governor yearly, and the chairperson of

the council shall ask the governor to remove any member who misses more than two meetings in any calendar year.

NEW SECTION, Sec. 8. The eleven citizen members of the council alone shall have the right to vote and decide by a simple majority all matters coming before the council.

NEW SECTION, Sec. 9. Citizen members of the council shall serve for terms of four years, said terms expiring on June 30th of the fourth year of their term except that in the case of initial members, two shall be appointed to one-year terms, three shall be appointed to two-year terms, three shall be appointed to three-year terms, and three shall be appointed to four-year terms. Council members may only be appointed for one additional term.

NEW SECTION, Sec. 10. The council shall employ a director and may delegate agency management to the director. The council for postsecondary education shall provide interim staffing upon request. The director shall serve at the pleasure of the council, shall be the executive officer of the council, and shall, under the council's supervision, administer the provisions of this chapter.

NEW SECTION, Sec. 11. The council shall establish advisory committees composed of members representing the faculty, administration, students, and trustees or regents, of the state institutions of higher education and the independent institutions of higher education.

NEW SECTION, Sec. 12. The council for postsecondary education is hereby abolished and its powers, duties, and functions are hereby transferred to the council for higher education. All references to the council for postsecondary education in the Revised Code of Washington shall be construed to mean the council for higher education.

NEW SECTION, Sec. 13. All reports, documents, surveys, books, records, files, papers, or written material in the possession of the council for postsecondary education shall be delivered to the custody of the council for higher education. All cabinets, furniture, office equipment, motor vehicles, and other tangible property employed by the council for postsecondary education shall be made available to the council for higher education. All funds, credits, or other assets held by the council for postsecondary education shall be assigned to the council for higher education.

Any appropriations made to the council for postsecondary education shall, on the effective date of this section, be transferred and credited to the council for higher education.

Whenever any question arises as to the transfer of any personnel, funds, books, documents, records, papers, files, equipment, or other tangible property used or held in the exercise of the powers and the performance of the duties and functions transferred, the director of financial management shall make a determination as to the proper allocation and certify the same to the state agencies concerned.

NEW SECTION, Sec. 14. (1) All classified employees of the council for postsecondary education are transferred to the jurisdiction of the council for higher education. All employees classified under chapter 41.06 RCW, the state civil service law, or chapter 28B.16 RCW, the state higher education personnel law, are assigned to the council for higher education to perform their usual duties upon the same terms as formerly, without any loss of rights, subject to any action that may be appropriate thereafter in accordance with the laws and rules governing state civil service.

(2) All subordinate exempt staff of the council for postsecondary education are transferred to the council for higher education to perform their usual duties upon the same terms as formerly, and shall serve at the pleasure of the council or the director, if the authority is delegated to the director.

NEW SECTION, Sec. 15. All rules and all pending business before the council for postsecondary education shall be continued and acted upon by the council for higher education. All existing contracts and obligations shall remain in full force and shall be performed by the council for higher education.

NEW SECTION, Sec. 16. The transfer of the powers, duties, functions, and personnel of the council for postsecondary education shall not affect the validity of any act performed by such employee before the effective date of this section.

NEW SECTION, Sec. 17. If apportionments of budgeted funds are required because of the transfers directed by sections 13 through 16 of this act, the director of financial management shall certify the apportionments to the agencies affected, the state auditor, and the state treasurer. Each of these shall make the appropriate transfer and adjustments in funds and appropriation accounts and equipment records in accordance with the certification.

NEW SECTION, Sec. 18. Nothing contained in sections 12 through 17 of this act may be construed to alter any existing collective bargaining unit or the provisions of any existing collective bargaining agreement until the agreement has expired or until the bargaining unit has been modified by action of the personnel board as provided by law.

Sec. 19. Section 28B.10.020, chapter 223, Laws of 1969 ex. sess. as amended by section 7, chapter 169, Laws of 1977 ex. sess. and RCW 28B.10.020 are each amended to read as follows:

The boards of regents of the University of Washington and Washington State University, respectively, and the boards of trustees of Central Washington University, Eastern Washington University, Western Washington University, and The Evergreen State College, respectively, shall have the power and authority to acquire by exchange, gift, purchase, lease, or condemnation

in the manner provided by chapter 8.04 RCW for condemnation of property for public use, such lands, real estate and other property, and interests therein as they may deem necessary for the use of said institutions respectively. However, the use, lease, or purchase of facilities for off-campus centers or programs is subject to the authority of the council for higher education under section 4 of this 1985 act.

Sec. 20. Section 28B.10.050, chapter 223, Laws of 1969 ex. sess. as last amended by section 19, chapter 278, Laws of 1984 and RCW 28B.10.050 are each amended to read as follows:

Except as the legislature shall otherwise specifically direct, the boards of regents and the boards of trustees for the state universities, the regional universities, and The Evergreen State College may establish entrance requirements for their respective institutions of higher education that exceed the minimum entrance requirements established under RCW 28B.10.045 and section 5(2) of this 1985 act.

NEW SECTION. Sec. 21. Section 20 of this act shall take effect July 1, 1986.

Sec. 22. Section 28B.20.130, chapter 223, Laws of 1969 ex. sess. as amended by section 20, chapter 75, Laws of 1977 and RCW 28B.20.130 are each amended to read as follows:

General powers and duties of the board of regents are as follows:

(1) To have full control of the university and its property of various kinds.  
 (2) To employ the president of the university, his assistants, members of the faculty, and employees of the institution, who except as otherwise provided by law, shall hold their positions during the pleasure of said board of regents.

(3) Establish entrance requirements for students seeking admission to the university subject to the standards of the council for higher education under section 5 of this 1985 act. Completion of examinations satisfactory to the university may be a prerequisite for entrance by any applicant at the university's discretion. Evidence of completion of public high schools and other educational institutions whose courses of study meet the approval of the university may be acceptable for entrance.

(4) Establish such colleges, schools or departments necessary to carry out the purpose of the university and not otherwise proscribed by law.

(5) With the assistance of the faculty of the university and subject to the approval of the council for higher education under section 4 of this 1985 act, prescribe the course of study in the various colleges, schools and departments of the institution and publish the necessary catalogues thereof.

(6) Grant to students such certificates or degrees as recommended for such students by the faculty. The board, upon recommendation of the faculty, may also confer honorary degrees upon persons other than graduates of this university in recognition of their learning or devotion to literature, art or science: PROVIDED, That no degree shall ever be conferred in consideration of the payment of money or the giving of property of whatsoever kind.

(7) Accept such gifts, grants, conveyances, bequests and devises, whether real or personal property, or both, in trust or otherwise, for the use or benefit of the university, its colleges, schools, departments, or agencies; and sell, lease or exchange, invest or expend the same or the proceeds, rents, profits and income thereof except as limited by the terms of said gifts, grants, conveyances, bequests and devises. The board shall adopt proper rules to govern and protect the receipt and expenditure of the proceeds of all fees, and the proceeds, rents, profits and income of all gifts, grants, conveyances, bequests and devises above-mentioned, and shall make full report of the same in the customary biennial report to the governor and members of the legislature, or more frequently if required by law: PROVIDED, HOWEVER, That nothing herein contained shall be construed to repeal, amend or in any way modify any of the provisions of RCW 28B.20.380.

(8) Except as otherwise provided by law, to enter into such contracts as the regents deem essential to university purposes.

(9) To submit upon request such reports as will be helpful to the governor and to the legislature in providing for the institution.

Sec. 23. Section 28B.30.150, chapter 223, Laws of 1969 ex. sess. as last amended by section 21, chapter 75, Laws of 1977 and RCW 28B.30.150 are each amended to read as follows:

The regents of Washington State University, in addition to other duties prescribed by law, shall:

(1) Have full control of the university and its property of various kinds.  
 (2) Employ the president of the university, his assistants, members of the faculty, and employees of the university, who, except as otherwise provided by law, shall hold their positions during the pleasure of said board of regents.

(3) Establish entrance requirements for students seeking admission to the university subject to the standards of the council for higher education under section 5 of this 1985 act. Completion of examinations satisfactory to the university may be a prerequisite for entrance by any applicant, at the university's discretion. Evidence of completion of public high schools and other educational institutions whose courses of study meet the approval of the university may be acceptable for entrance.

(4) Establish such colleges, schools or departments necessary to carry out the purpose of the university and not otherwise proscribed by law.

(5) With the assistance of the faculty of the university and subject to the approval of the council for higher education under section 4 of this 1985 act, prescribe the courses of instruction in the various colleges, schools and departments of the institution and publish the necessary catalogues thereof.

(6) Collect such information as the board deems desirable as to the schemes of technical instruction adopted in other parts of the United States and foreign countries.

(7) Provide for holding agricultural institutes including farm marketing forums.

(8) Provide that instruction given in the university, as far as practicable, be conveyed by means of laboratory work and provide in connection with the university one or more physical, chemical, and biological laboratories, and suitably furnish and equip the same.

(9) Provide training in military tactics for those students electing to participate therein.

(10) Establish a department of elementary science and in connection therewith provide instruction in elementary mathematics, including elementary trigonometry, elementary mechanics, elementary and mechanical drawing and land surveying.

(11) Establish a department of agriculture and in connection therewith provide instruction in physics with special application of its principles to agriculture, chemistry with special application of its principles to agriculture, morphology and physiology of plants with special reference to common grown crops and fungus enemies, morphology and physiology of the lower forms of animal life, with special reference to insect pests, morphology and physiology of the higher forms of animal life and in particular of the horse, cow, sheep and swine, agriculture with special reference to the breeding and feeding of livestock and the best mode of cultivation of farm produce, and mining and metallurgy, appointing demonstrators in each of these subjects to superintend the equipment of a laboratory and to give practical instruction therein.

(12) Establish agricultural experiment stations in connection with the department of agriculture, including at least one in the western portion of the state, and appoint the officers and prescribe regulations for their management.

(13) Grant to students such certificates or degrees, as recommended for such students by the faculty.

(14) Confer honorary degrees upon persons other than graduates of the university in recognition of their learning or devotion to literature, art or science when recommended thereto by the faculty: PROVIDED, That no degree shall ever be conferred in consideration of the payment of money or the giving of property of whatsoever kind.

(15) Adopt plans and specifications for university buildings and facilities or improvements thereto and employ skilled architects and engineers to prepare such plans and specifications and supervise the construction of buildings or facilities which the board is authorized to erect, and fix the compensation for such services. The board shall enter into contracts with one or more contractors for such suitable buildings, facilities or improvements as the available funds will warrant, upon the most advantageous terms offered at a public competitive letting, pursuant to public notice under regulations established by the board. The board shall require of all persons with whom they contract for construction and improvements a good and sufficient bond for the faithful performance of the work and full protection against all liens.

(16) Except as otherwise provided by law, direct the disposition of all money appropriated to or belonging to the state university.

(17) Receive and expend the money appropriated under the act of congress approved May 8, 1914, entitled 'An Act to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of the Act of Congress approved July 2, 1862, and Acts supplemental thereto and the United States Department of Agriculture' and organize and conduct agricultural extension work in connection with the state university in accordance with the terms and conditions expressed in the acts of congress.

(18) Except as otherwise provided by law, to enter into such contracts as the regents deem essential to university purposes.

(19) Acquire by lease, gift, or otherwise, lands necessary to further the work of the university or for experimental or demonstrational purposes.

(20) Establish and maintain at least one agricultural experiment station in an irrigation district to conduct investigational work upon the principles and practices of irrigational agriculture including the utilization of water and its relation to soil types, crops, climatic conditions, ditch and drain construction, fertility investigations, plant disease, insect pests, marketing, farm management, utilization of fruit byproducts and general development of agriculture under irrigation conditions.

(21) Supervise and control the agricultural experiment station at Puyallup.

(22) Establish and maintain at Wenatchee an agricultural experiment substation for the purpose of conducting investigational work upon the principles and practices of orchard culture, spraying, fertilization, pollenization, new fruit varieties, fruit diseases and pests, byproducts, marketing, management and general horticultural problems.

(23) Accept such gifts, grants, conveyances, devises and bequests, whether real or personal property, in trust or otherwise, for the use or benefit of the university, its colleges, schools or departments; and sell, lease or exchange, invest or expend the same or the proceeds, rents, profits and income thereof except as limited by the terms of said gifts, grants, conveyances,

bequests and devises; adopt proper rules to govern and protect the receipt and expenditure of the proceeds of all fees, and the proceeds, rents, profits and income of all gifts, grants, conveyances, bequests and devises, and make full report thereof in a biennial report to the governor and members of the legislature.

(24) Construct when the board so determines a new foundry and a mining, physical, technological building and fabrication shop at the university, or add to the present foundry and other buildings, in order that both instruction and research be expanded to include permanent molding and die casting with a section for new fabricating techniques, especially for light metals, including magnesium and aluminum; purchase equipment for the shops and laboratories in mechanical, electrical, and civil engineering; establish a pilot plant for the extraction of alumina from native clays and other possible light metal research; purchase equipment for a research laboratory for technological research generally; and purchase equipment for research in electronics, instrumentation, energy sources, plastics, food technology, mechanics of materials, hydraulics and similar fields.

(25) Make and transmit to the governor and members of the legislature upon request such reports as will be helpful in providing for the institution.

Sec. 24. Section 48, chapter 169, Laws of 1977 ex. sess. and RCW 28B.35.120 are each amended to read as follows:

In addition to any other powers and duties prescribed by law, each board of trustees of the respective regional universities:

(1) Shall have full control of the regional university and its property of various kinds.

(2) Shall employ the president of the regional university, his assistants, members of the faculty, and other employees of the institution, who, except as otherwise provided by law, shall hold their positions, until discharged therefrom by the board for good and lawful reason.

(3) With the assistance of the faculty of the regional university and subject to the approval of the council for higher education under section 4 of this 1985 act, shall prescribe the course of study in the various schools and departments thereof and publish such catalogues thereof as the board deems necessary; PROVIDED, That the state board of education shall determine the requisites for and give program approval of all courses leading to teacher certification by such board.

(4) Establish such divisions, schools or departments necessary to carry out the purposes of the regional university and not otherwise proscribed by law.

(5) Except as otherwise provided by law, may establish and erect such new facilities as determined by the board to be necessary for the regional university.

(6) May acquire real and other property as provided in RCW 28B.10.020, as now or hereafter amended.

(7) Except as otherwise provided by law, may purchase all supplies and purchase or lease equipment and other personal property needed for the operation or maintenance of the regional university.

(8) May establish, lease, operate, equip and maintain self-supporting facilities in the manner provided in RCW 28B.10.300 through 28B.10.330, as now or hereafter amended.

(9) Except as otherwise provided by law, to enter into such contracts as the trustees deem essential to regional university purposes.

(10) May receive such gifts, grants, conveyances, devises and bequests of real or personal property from whatsoever source, as may be made from time to time, in trust or otherwise, whenever the terms and conditions thereof will aid in carrying out the regional university programs; sell, lease or exchange, invest or expend the same or the proceeds, rents, profits and income thereof except as limited by the terms and conditions thereof; and adopt regulations to govern the receipt and expenditure of the proceeds, rents, profits and income thereof.

(11) May promulgate such rules and regulations, and perform all other acts not forbidden by law, as the board of trustees may in its discretion deem necessary or appropriate to the administration of the regional university.

Sec. 25. Section 28B.40.120, chapter 223, Laws of 1969 ex. sess. as amended by section 68, chapter 169, Laws of 1977 ex. sess. and RCW 28B.40.120 are each amended to read as follows:

In addition to any other powers and duties prescribed by law, the board of trustees of The Evergreen State College:

(1) Shall have full control of the state college and its property of various kinds.

(2) Shall employ the president of the state college, his assistants, members of the faculty, and other employees of the institution, who, except as otherwise provided by law, shall hold their positions, until discharged therefrom by the board for good and lawful reason.

(3) With the assistance of the faculty of the state college and subject to the approval of the council for higher education under section 4 of this 1985 act, shall prescribe the course of study in the various schools and departments thereof and publish such catalogues thereof as the board deems necessary; PROVIDED, That the state board of education shall determine the requisites for and give program approval of all courses leading to teacher certification by such board.

(4) Establish such divisions, schools or departments necessary to carry out the purposes of the college and not otherwise proscribed by law.

(5) Except as otherwise provided by law, may establish and erect such new facilities as determined by the board to be necessary for the college.

(6) May acquire real and other property as provided in RCW 28B.10.020, as now or hereafter amended.

(7) Except as otherwise provided by law, may purchase all supplies and purchase or lease equipment and other personal property needed for the operation or maintenance of the college.

(8) May establish, lease, operate, equip and maintain self-supporting facilities in the manner provided in RCW 28B.10.300 through 28B.10.330, as now or hereafter amended.

(9) Except as otherwise provided by law, to enter into such contracts as the trustees deem essential to college purposes.

(10) May receive such gifts, grants, conveyances, devises and bequests of real or personal property from whatsoever source, as may be made from time to time, in trust or otherwise, whenever the terms and conditions thereof will aid in carrying out the college programs; sell, lease or exchange, invest or expend the same or the proceeds, rents, profits and income thereof except as limited by the terms and conditions thereof; and adopt regulations to govern the receipt and expenditure of the proceeds, rents, profits and income thereof.

(11) May promulgate such rules and regulations, and perform all other acts not forbidden by law, as the board of trustees may in its discretion deem necessary or appropriate to the administration of the college.

Sec. 26. Section 6, chapter 14, Laws of 1979 as last amended by section 3, chapter 246, Laws of 1981 and RCW 28B.50.140 are each amended to read as follows:

Each community college board of trustees:

(1) Shall operate all existing community colleges and vocational-technical institutes in its district:

(2) Shall create comprehensive programs of community college education and training and maintain an open-door policy in accordance with the provisions of RCW 28B.50.090(3);

(3) Shall employ for a period to be fixed by the board a college president for each community college, a director for each vocational-technical institute or school operated by a community college, a district president, if deemed necessary by the board, in the event there is more than one college and/or separated institute or school located in the district, members of the faculty and such other administrative officers and other employees as may be necessary or appropriate and fix their salaries and duties;

(4) May establish, under the approval and direction of the college board, new facilities as community needs and interests demand;

(5) May establish or lease, operate, equip and maintain dormitories, food service facilities, bookstores and other self-supporting facilities connected with the operation of the community college;

(6) May, with the approval of the college board, borrow money and issue and sell revenue bonds or other evidences of indebtedness for the construction, reconstruction, erection, equipping with permanent fixtures, demolition and major alteration of buildings or other capital assets, and the acquisition of sites, rights-of-way, easements, improvements or appurtenances, for dormitories, food service facilities, and other self-supporting facilities connected with the operation of the community college in accordance with the provisions of RCW 28B.10.300 through 28B.10.330 where applicable;

(7) May establish fees and charges for the facilities authorized hereunder, including reasonable rules and regulations for the government thereof, not inconsistent with the rules and regulations of the college board; each board of trustees operating a community college may enter into agreements, subject to rules and regulations of the college board, with owners of facilities to be used for housing regarding the management, operation, and government of such facilities, and any board entering into such an agreement may:

(a) Make rules and regulations for the government, management and operation of such housing facilities deemed necessary or advisable; and

(b) Employ necessary employees to govern, manage and operate the same;

(8) May receive such gifts, grants, conveyances, devises and bequests of real or personal property from private sources, as may be made from time to time, in trust or otherwise, whenever the terms and conditions thereof will aid in carrying out the community college programs as specified by law and the regulations of the state college board; sell, lease or exchange, invest or expend the same or the proceeds, rents, profits and income thereof according to the terms and conditions thereof; and adopt regulations to govern the receipt and expenditure of the proceeds, rents, profits and income thereof;

(9) May establish and maintain night schools whenever in the discretion of the board of trustees it is deemed advisable, and authorize classrooms and other facilities to be used for summer or night schools, or for public meetings and for any other uses consistent with the use of such classrooms or facilities for community college purposes;

(10) May make rules and regulations for pedestrian and vehicular traffic on property owned, operated, or maintained by the community college district;

(11) Shall prescribe, with the assistance of the faculty, subject to the approval of the council for higher education under section 4 of this 1985 act the course of study in the various departments of the community college or colleges under its control, and publish such catalogues and bulletins as may become necessary;

(12) May grant to every student, upon graduation or completion of a course of study, a suitable diploma, nonbaccalaureate degree or certificate;

(13) Shall enforce the rules and regulations prescribed by the state board for community college education for the government of community colleges, students and teachers, and promulgate such rules and regulations and perform all other acts not inconsistent with law or rules and regulations of the state board for community college education as the board of trustees may in its discretion deem necessary or appropriate to the administration of community college districts: PROVIDED, That such rules and regulations shall include, but not be limited to, rules and regulations relating to housing, scholarships, conduct at the various community college facilities, and discipline: PROVIDED, FURTHER, That the board of trustees may suspend or expel from community colleges students who refuse to obey any of the duly promulgated rules and regulations;

(14) May, by written order filed in its office, delegate to the president or district president any of the powers and duties vested in or imposed upon it by this chapter. Such delegated powers and duties may be exercised in the name of the district board;

(15) May perform such other activities consistent with this chapter and not in conflict with the directives of the college board;

(16) Notwithstanding any other provision of law, may offer educational services on a contractual basis other than the tuition and fee basis set forth in chapter 28B.15 RCW for a special fee to private or governmental entities, consistent with rules and regulations adopted by the state board for community college education: PROVIDED, That the whole of such special fee shall go to the college district and be not less than the full instructional costs of such services: PROVIDED FURTHER, That enrollments generated hereunder shall not be counted toward the official enrollment level of the college district for state funding purposes;

(17) Notwithstanding any other provision of law, may offer educational services on a contractual basis, charging tuition and fees as set forth in chapter 28B.15 RCW, counting such enrollments for state funding purposes, and may additionally charge a special supplemental fee when necessary to cover the full instructional costs of such services: PROVIDED, That such contracts shall be subject to review by the state board for community college education and to such rules as the state board may adopt for that purpose in order to assure that the sum of the supplemental fee and the normal state funding shall not exceed the projected total cost of offering the educational service: PROVIDED FURTHER, That enrollments generated by courses offered on the basis of contracts requiring payment of a share of the normal costs of the course will be discounted to the percentage provided by the college;

(18) Shall be authorized to pay dues to any association of trustees that may be formed by the various boards of trustees; such association may expend any or all of such funds to submit biennially, or more often if necessary, to the governor and to the legislature, the recommendations of the association regarding changes which would affect the efficiency of such association; and

(19) Shall perform any other duties and responsibilities imposed by law or rule and regulation of the state board.

NEW SECTION, Sec. 27. Washington State and Eastern Washington Universities shall establish a joint center for higher education in Spokane on or before January 1, 1986.

NEW SECTION, Sec. 28. (1) Except as provided in subsection (2) of this section, the joint center for higher education shall administer the following programs offered in the Spokane area by Washington State University and by Eastern Washington University outside of its Cheney campus:

- (a) All undergraduate degree programs in engineering and technology;
- (b) All graduate degree programs; and
- (c) All other seminars, courses and programs of any type.

(2) The joint center for higher education shall not administer the intercollegiate center for nursing or undergraduate degree programs other than those relating to technology offered by Eastern Washington University in Spokane.

(3) Disputes regarding which programs are to be administered by the joint center for higher education shall be arbitrated by the council for postsecondary education, or its successor agency. The decision of the arbitrating agency shall be binding.

NEW SECTION, Sec. 29. (1) The joint center for higher education shall be administered by a board consisting of:

- (a) Two representatives of Eastern Washington University appointed by the president;
- (b) Two representatives of Washington State University appointed by the president;
- (c) One representative of the community colleges in the Spokane area selected by the Spokane community college district; and
- (d) Two citizens residing in Spokane county, who shall be chosen by the other board members.



(2) Each of the seven members shall have one vote. The members shall select a chairperson. A majority of the voting members shall constitute a quorum for conducting business.

NEW SECTION. Sec. 30. The board of the joint center shall hire a director and may hire other staff as necessary to carry out its duties. The director shall have the status of resident dean at the center and of dean at both Washington State and Eastern Washington Universities.

NEW SECTION. Sec. 31. Washington State University and Eastern Washington University shall share equally in the administrative costs of the center unless modified by agreement between the two universities. The center shall contract for financial services, or provide such services through other means as agreed upon by the two universities.

NEW SECTION. Sec. 32. (1) The board of regents of Washington State University and the board of trustees of Eastern Washington University shall be responsible for achieving improved cooperation between the two institutions. The boards shall investigate the potential for coordination and consolidation of selected programs and the joint use of resources, and shall consider the broader public interest, educational quality and efficient use of public funds in their deliberations.

(2) The boards shall meet periodically for the purposes identified in subsection (1) of this section and shall report to the appropriate standing committees of the legislature on their actions and recommendations by January 1 of the years 1986, 1987, 1988 and 1989.

Sec. 33. Section 29, chapter 197, Laws of 1983 and RCW 43.131.260 are each amended to read as follows:

The following acts or parts of acts, as now existing or hereafter amended, are each repealed, effective ~~((June 30;))~~ January 1, 1986:

(1) Section 1, chapter 277, Laws of 1969 ex. sess., section 1, chapter 132, Laws of 1975 1st ex. sess. and RCW 28B.80.010;

(2) Section 2, chapter 277, Laws of 1969 ex. sess. section 2, chapter 132, Laws of 1975 1st ex. sess. and RCW 28B.80.020;

(3) Section 3, chapter 277, Laws of 1969 ex. sess., section 3, chapter 132, Laws of 1975 1st ex. sess. and RCW 28B.80.030;

(4) Section 2, chapter 201, Laws of 1977 ex. sess. and RCW 28B.80.035;

(5) Section 4, chapter 277, Laws of 1969 ex. sess., section 4, chapter 132, Laws of 1975 1st ex. sess., section 43, chapter 169, Laws of 1977 ex. sess. and RCW 28B.80.040;

(6) Section 5, chapter 277, Laws of 1969 ex. sess. and RCW 28B.80.050;

(7) Section 6, chapter 277, Laws of 1969 ex. sess., section 5, chapter 132, Laws of 1975 1st ex. sess. and RCW 28B.80.060;

(8) Section 7, chapter 277, Laws of 1969 ex. sess. and RCW 28B.80.070;

(9) Section 9, chapter 277, Laws of 1969 ex. sess., section 6, chapter 132, Laws of 1975 1st ex. sess., section 22, chapter 151, Laws of 1979 and RCW 28B.80.080; and

(10) Section 10, chapter 277, Laws of 1969 ex. sess. and RCW 28B.80.090((;

~~(11) Section 12, chapter 277, Laws of 1969 ex. sess., section 77, chapter 34, Laws of 1975-76 2nd ex. sess. and RCW 28B.80.110;~~

~~(12) Section 13, chapter 277, Laws of 1969 ex. sess. and RCW 28B.80.120;~~

~~(13) Section 1, chapter 4, Laws of 1974 ex. sess. and RCW 28B.80.130;~~

~~(14) Section 2, chapter 4, Laws of 1974 ex. sess. and RCW 28B.80.140;~~

~~(15) Section 3, chapter 4, Laws of 1974 ex. sess. and RCW 28B.80.150;~~

~~(16) Section 4, chapter 4, Laws of 1974 ex. sess. and RCW 28B.80.160;~~

~~(17) Section 5, chapter 4, Laws of 1974 ex. sess. and RCW 28B.80.170;~~

~~(18) Section 9, chapter 132, Laws of 1975 1st ex. sess. and RCW 28B.80.200;~~

~~(19) Section 12, chapter 132, Laws of 1975 1st ex. sess. and RCW 28B.80.210;~~

~~(20) Section 13, chapter 132, Laws of 1975 1st ex. sess. and RCW 28B.80.220;~~

~~(21) Section 14, chapter 132, Laws of 1975 1st ex. sess. and RCW 28B.80.230;~~

~~(22) Section 15, chapter 132, Laws of 1975 1st ex. sess. and RCW 28B.80.240;~~

~~(23) Section 27, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.80.250;~~

~~(24) Section 28, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.80.260;~~

~~(25) Section 29, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.80.270;~~

~~(26) Section 14, chapter 277, Laws of 1969 ex. sess., section 10, chapter 132, Laws of 1975 1st ex. sess. and RCW 28B.80.900; and~~

~~(27) Section 15, chapter 277, Laws of 1969 ex. sess. and RCW 28B.80.910).~~

NEW SECTION. Sec. 34. The following acts or parts of acts are each repealed:

(1) Section 18, chapter 278, Laws of 1984 and RCW 28B.10.045;

(2) Section 20, chapter 278, Laws of 1984 and RCW 28B.10.052;

(3) Section 2, chapter 78, Laws of 1979 ex. sess. and RCW 28B.40.240; and

(4) Section 3, chapter 78, Laws of 1979 ex. sess. and RCW 28B.40.244.

NEW SECTION. Sec. 35. Section 3, chapter 197, Laws of 1983 and RCW 43.131.259 are each repealed.

NEW SECTION. Sec. 36. (1) Sections 1 through 11 of this act are each added to chapter 28B.80 RCW.

(2) Sections 27 through 32 of this act are each added to chapter 28B.10 RCW.

NEW SECTION, Sec. 37. Sections 1, 7, 8, 9, 10, and 35 of this act are necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

NEW SECTION, Sec. 38. Sections 2 through 6, 11 through 19, 22 through 26, 33, and 34 of this act shall take effect January 1, 1986."

On page 1, line 1 of the title, after "education;" strike the remainder of the title and insert "amending RCW 28B.10.020, 28B.20.130, 28B.30.150, 28B.35.120, 28B.40.120, 28B.50.140, and 43.131.260; adding new sections to chapter 28B.10 RCW; adding new sections to chapter 28B.80 RCW; creating new sections; repealing RCW 28B.10.045, 28B.10.052, 28B.40.240, 28B.40.244, and 43.131.259; providing effective dates; and declaring an emergency."

Signed by Representatives Sommers, Chair; Jacobsen, Vice Chair; Allen, Basich, Belcher, Hastings, Miller, G. Nelson, Prince, Silver, Unsoeld, Vander Stoep and K. Wilson.

Voting nay: Representatives D. Nelson and Wineberry.

Passed to Committee on Rules for second reading.

April 2, 1985

SSB 3388 Prime Sponsor, Committee on Judiciary: Revising provisions relating to the attorney general. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, P. King, Lewis, Locke, G. Nelson, Niemi, Padden, Schmidt, Schoon, Van Luven, West and Wang.

Absent: Representatives Niemi and Tilly.

Passed to Committee on Rules for second reading.

March 29, 1985

ESB 3415 Prime Sponsor, Senator Bender: Authorizing adjustable interest rates. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 2, chapter 80, Laws of 1899 as last amended by section 1, chapter 78, Laws of 1981 and RCW 19.52.020 are each amended to read as follows:

(1) Any rate of interest (~~(not exceeding)~~) shall be legal so long as the rate of interest does not exceed the higher of: (a) Twelve percent per annum; or (b) four percentage points above the equivalent coupon issue yield (as published by the Federal Reserve Bank of San Francisco) of the average bill rate for twenty-six week treasury bills as determined at the first bill market auction conducted during the (~~(preceding)~~) calendar month (~~(-agreed to in writing by the parties to the contract, shall be legal, and)~~) immediately preceding the later of (i) the establishment of the interest rate by written agreement of the parties to the contract, or (ii) any adjustment in the interest rate in the case of a written agreement permitting an adjustment in the interest rate. No person shall directly or indirectly take or receive in money, goods, or things in action, or in any other way, any greater interest for the loan or forbearance of any money, goods, or things in action (~~(-PROVIDED, That)~~).

(2)(a) In any loan of money in which the funds advanced do not exceed the sum of five hundred dollars, a setup charge may be charged and collected by the lender, and such setup charge shall not be considered interest hereunder (~~(-PROVIDED FURTHER, That such)~~).

(b) The setup charge (~~(does)~~) shall not exceed four percent of the amount of funds advanced, or fifteen dollars, whichever is the lesser, except that on loans of under one hundred dollars a minimum not exceeding four dollars may be so charged.

(3) Any loan made pursuant to a commitment to lend at an interest rate permitted at the time the commitment is made shall not be usurious. Credit extended pursuant to an open-end credit agreement upon which interest is computed on the basis of a balance or balances outstanding during a billing cycle shall not be usurious if on any one day during the billing cycle the rate at which interest is charged for the billing cycle is not usurious (~~(on any day during the billing cycle)~~).

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 July 1, 1985."

Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Addison, Barrett, Crane, Dellwo, Grimm, Holland, P. King, Locke, Nutley, West and Winsley.

Absent: Representatives Dellwo and Prince.

Passed to Committee on Rules for second reading.

March 29, 1985

SSB 3468 Prime Sponsor, Committee on Energy & Utilities: Authorizing the monitoring of federal research regarding the suitability of Hanford as a radioactive waste disposal facility. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

\*Sec. 1. Section 1, chapter 161, Laws of 1984 and RCW 43.200.015 are each amended to read as follows:

As used in this chapter, the following terms have the meanings indicated unless the context clearly requires otherwise.

(1) 'Board' means the nuclear waste board established in RCW 43.200.040.

(2) 'Federal department of energy' means the federal department of energy or any successor agency assigned responsibility for the long-term disposal of high-level radioactive waste.

(3) 'Nuclear regulatory commission' means the United States nuclear regulatory commission or any successor agency responsible for approval of construction of a repository for the long-term disposal of high-level radioactive waste and spent nuclear fuel.

(4) 'Hanford site' means the site identified by the United States department of energy as a potentially acceptable site for the disposal of spent nuclear fuel and high-level radioactive waste pursuant to the nuclear waste policy act of 1982.

(5) 'High-level radioactive waste' means 'high-level radioactive waste' as the term is defined in 42 U.S.C. Sec. 10101 (P.L. 97-425).

~~((4)) (6) 'Low-level radioactive waste' means waste material that contains radioactive nuclides emitting primarily beta or gamma radiation, or both, in concentrations or quantities that exceed applicable federal or state standards for unrestricted release. Low-level waste does not include waste containing more than one hundred nanocuries of transuranic contaminants per gram of material, nor spent reactor fuel, nor material classified as either high-level waste or waste that is unsuited for disposal by near-surface burial under any applicable federal regulations.~~

(7) 'Radioactive waste' means both high-level and low-level radioactive waste.

(8) 'Spent nuclear fuel' means spent nuclear fuel as the term is defined in 42 U.S.C. Sec. 10101.

(9) 'Department' means the department of ecology.

NEW SECTION. Sec. 2. A new section is added to chapter 43.200 RCW to read as follows:

The board shall monitor and evaluate the research performed by the United States department of energy that is undertaken for the purpose of determining the suitability of the Hanford site for the location of a disposal facility for spent nuclear fuel and high-level radioactive waste. If the board is dissatisfied with the research performed by the United States department of energy, it shall conduct its own independent testing and evaluation activities. On a quarterly basis, the board shall report to the Washington state legislature on the results of research conducted under this section.

NEW SECTION. Sec. 3. A new section is added to chapter 43.200 RCW to read as follows:

(1) The board shall undertake studies: (a) To determine any potential economic, social, public health and safety, and environmental impacts of a repository for the long-term disposal of high-level radioactive waste and spent nuclear fuel on the state and its residents; (b) of the risks to the citizens of this state associated with the transportation of radioactive wastes by whatever mode into and through the state of Washington. The study shall include recommendations for state and local authorities on alternative routes for transportation of radioactive wastes which shall be developed in accordance with 49 C.F.R. part 177, appendix A. Progress reports on the study shall be made at each meeting of the board. The board shall set a completion date for the study to coincide with the need to establish state or local routing alternatives in accordance with the federal hazardous materials transportation act; (c) of the potential impacts of siting a repository for the long-term storage or disposal of high-level radioactive waste and spent nuclear fuel at the Hanford site on the financial and technical resources of all affected state agencies and local governments. The board shall submit this study to the legislature and the public before holding public hearings on any agreement or modification of an agreement negotiated under RCW 43.200.100(1).

(2) The board shall begin to develop a request for impact assistance to be submitted in the event the Nuclear Regulatory Commission approves construction of a repository at the Hanford site.

(3) The board may undertake any other studies or activities for which it may receive funding from the federal department of energy under the federal nuclear waste policy act of 1982.

Sec. 4. Section 3, chapter 161, Laws of 1984 and RCW 43.200.025 are each amended to read as follows:

(1) The board shall be responsible for identifying and reviewing state agency policies relating to the management of radioactive wastes; analyzing recommendations of the advisory council to determine how state agencies may be responsive to the needs of the board in carrying out its duties under this chapter; determining ways in which coordination among state agencies can be improved; carrying out such review activities that will enable the state to effectively evaluate federal actions; reviewing the activities of advisory and technical committees; studying the need for additional advisory and technical committees; ~~((and))~~ participating in the consultation and ~~((concurrency))~~ cooperation process provided for in the federal nuclear waste ~~((management))~~ policy act of 1982 ~~((and-assisting))~~; analyzing policy recommendations and authorizing major policy actions proposed by the department relative to ~~((participate in the))~~ low-level waste ~~((policy act of 1980))~~; and to monitor and comment on decisions of the northwest interstate compact committee on low-level radioactive waste management.

(2) The board shall disseminate or arrange with the federal department of energy or other federal agency to disseminate information received pursuant to its activities under this chapter to the legislature, appropriate state agencies, local units of government, regional planning commissions, American Indian tribal governing bodies, the radioactive waste advisory council, and persons who have requested in writing to receive this information.

(3) The board shall serve as a spokesman on behalf of the citizens of this state before the federal department of energy and other federal agencies on matters related to the disposal of ~~((high-level))~~ radioactive waste.

(4) The board shall promote and coordinate through the radioactive waste advisory council educational programs which provide information on the nature of ~~((high-level))~~ radioactive waste, the disposal of these wastes, the activities of the board, the activities of the federal department of energy and other federal agencies related to the disposal of ~~((high-level))~~ radioactive waste, and the opportunities of the public to participate in procedures and decisions related to the disposal of ~~((high-level))~~ radioactive waste.

(5) The board shall monitor activity in congress and the federal government related to the disposal of ~~((high-level))~~ radioactive waste. The board may advise the congressional delegation from this state of action which is needed to protect the interests of the state.

(6) The board may request and delegate to the department the undertaking of any of the activities assigned to the board by the provisions of this chapter. The board may delegate administrative matters to the department to assist the board in carrying out its activities under this chapter.

Sec. 5. Section 14, chapter 161, Laws of 1984 and RCW 43.200.150 are each amended to read as follows:

The department shall provide administrative and technical staff support as requested by the board. As directed by the board, the department shall be responsible for obtaining and coordinating technical expertise necessary for board participation in nuclear waste programs and shall be responsible for ongoing technical coordination and administration of program activities. Other state agencies shall assist the board in fulfilling its duties to the fullest extent possible. The board and/or the department may contract with other state agencies to obtain expertise or input uniquely available from that agency. The board may contract with private parties to obtain expertise or input necessary to perform any study required in this chapter.

NEW SECTION. Sec. 6. A new section is added to chapter 43.200 RCW to read as follows:

The board shall seek federal funds pursuant to the nuclear waste policy act of 1982, section 116 (P.L. 97-425), for the activities authorized by sections 2 and 3 of this act. In the event federal funds are not granted, the board shall investigate potential legal causes of action.

NEW SECTION. Sec. 7. A new section is added to chapter 43.200 RCW to read as follows:

There shall be created a position of executive director of the board to assist the board in carrying out its responsibilities under this chapter. The position shall be funded by funds available under the federal nuclear waste policy act of 1982. The executive director shall be selected by the board from those persons nominated for the position by members of the board. The executive director shall be empowered to perform those functions that the board may direct him or her to undertake.

NEW SECTION. Sec. 8. A new section is added to chapter 43.200 RCW to read as follows:

This chapter may be known and cited as the Radioactive Waste Act.

NEW SECTION. Sec. 9. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, on line 2 of the title, after "43.200.015" strike the remainder of the title and insert ", 43.200.025, 43.200.150; adding new sections to chapter 43.200 RCW; and declaring an emergency."

Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong, Gallagher, Jacobsen, Madsen, Sutherland and Unsoeld.

MINORITY recommendation: Do not pass. Signed by Representatives Bond, Isaacson and Nealey.

Voting nay: Representatives Barnes, Bond, Isaacson, Long, Nealey and Van Luven.

Absent: Representative Miller.

Passed to Committee on Rules for second reading.

March 29, 1985

SSB 3469 Prime Sponsor, Committee on Governmental Operations: Modifying provisions relating to annexation and boundary review. Reported by Committee on Local Government

MAJORITY recommendation: Do pass with the following amendments:

On page 3, beginning on line 1 strike all material down to and including line 6 and insert the following:

"~~((+))~~ (a) The: (i) Creation, (~~dissolution~~;) incorporation, (~~disincorporation, consolidation~~;) or change in the boundary, other than a consolidation, of any city, town, or special purpose district; (ii) consolidation of special purpose districts, but not including consolidation of cities and towns; or (iii) dissolution or disincorporation of a city, town, or special purpose district, except that a board may not review the dissolution or disincorporation of a special purpose district which was dissolved or disincorporated pursuant to the provisions of chapter 36.96 RCW; or"

On page 4, immediately following line 20 insert a new paragraph to read as follows:

"At its discretion the boundary review board may waive the fee required by RCW 36.93.120."

Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Allen, Brough, Doty, Ebersole, Hine, Isaacson, May, Patrick, Rayburn, Smitherman and Zellinsky.

Voting nay: Representatives Bristow and Winsley.

Passed to Committee on Rules for second reading.

March 29, 1985

SB 3555 Prime Sponsor, Senator Moore: Requiring actions to examine the federal reserve system. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Addison, Barrett, Crane, Holland, West and Winsley.

MINORITY recommendation: Do not pass. Signed by Representatives Dellwo, Locke and Nutley.

Voting nay: Representatives Dellwo, Grimm, P. King, Locke and Nutley.

Absent: Representative Prince.

Passed to Committee on Rules for second reading.

April 2, 1985

SSB 3580 Prime Sponsor, Committee on Judiciary: Changing provisions relating to business corporations. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, P. King, Lewis, Locke, G. Nelson, Niemi, Schmidt, Schoon, Van Luven, West and Wang.

Absent: Representatives Padden and Tilly.

Passed to Committee on Rules for second reading.

April 2, 1985

ESSB 3740 Prime Sponsor, Committee on Judiciary: Revising certain laws governing courts. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendments:

On page 19, after line 20 insert the following:

"NEW SECTION, Sec. 33. The appointment of a qualified hearing interpreter for a 'hearing impaired person' as defined in section 25 of this act shall be governed by sections 25 through 32 of this act, and RCW 2.42.020 through 2.42.040 shall not apply."

Renumber the remaining sections consecutively and correct internal references accordingly.

On page 19, line 21 after "through" strike "32" and insert "33"

Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, P. King, Lewis, Locke, G. Nelson, Schmidt, Schoon, West and Wang.

Absent: Representatives Niemi, Padden and Tilly.

Referred to Committee on Ways & Means.

March 29, 1985

SB 3765 Prime Sponsor, Senator Thompson: Modifying provisions on municipal utilities. Reported by Committee on Local Government

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 35.67.030, chapter 7, Laws of 1965 and RCW 35.67.030 are each amended to read as follows:

Whenever the legislative body of any city or town, shall deem it advisable that such city or town shall purchase, acquire or construct any public utility mentioned in RCW 35.67.020, or make any additions (~~(and)~~), betterments, or alterations thereto, or extensions thereof, such legislative body shall provide therefor by ordinance, which shall specify and adopt the system or plan proposed, and declare the estimated cost thereof as near as may be (~~and the same shall be submitted for ratification or rejection to the qualified voters of such city or town at a general or special election, except in the following cases where no submission shall be necessary:~~

(1) ~~When the adoption of a system of sewerage or system for collection and disposal of refuse, and the construction and operation of same, has been required and ordered by the state board of health.~~

(2) ~~When no general indebtedness is to be incurred by such city or town in the acquiring, construction, maintenance or operation of such public utility, or when the work proposed is an addition or extension thereto or betterment thereof for which no general indebtedness is to be incurred by such city or town.~~

~~If a general indebtedness is to be incurred, the amount of such indebtedness and the terms thereof shall be included in the proposition submitted to the qualified voters as aforesaid and such proposition shall be adopted and assented to by a three-fifths majority of the qualified voters of such city or town voting at said election. Ten days' notice of such election shall be given in the newspaper doing the city or town printing, by publication in each issue of said paper during said time: PROVIDED, HOWEVER, That where the proposition to be submitted includes a proposed levy of taxes in excess of the levy to which the same is or may be limited by statute or the Constitution of the state of Washington without a vote of the people, then the procedure to be followed in the holding of such election shall be as prescribed by such statutory or constitutional provision regulating the holding of special elections authorizing levies in excess of such limitation).~~

NEW SECTION. Sec. 2. A new section is added to chapter 35.67 RCW to read as follows:

General obligation bonds issued by a city or town to pay for all or part of the costs of purchasing, acquiring, or constructing any public utility mentioned in RCW 35.67.020, or the costs of making any additions, betterments, or alterations thereto, or extensions thereof, shall be issued and sold in accordance with chapter 39.46 RCW.

Sec. 3. Section 35.67.110, chapter 7, Laws of 1965 as amended by section 1, chapter 118, Laws of 1965 and RCW 35.67.110 are each amended to read as follows:

~~(There shall be levied each year upon all taxable property within the city or town a tax sufficient to pay the interest on the bonds and the principal thereof as the same matures. These taxes shall become due and collectible as other taxes, in addition thereto))~~ In addition to taxes pledged to pay the principal of and interest on general obligation bonds issued to pay for costs of purchasing, acquiring, or constructing any public utility mentioned in RCW 35.67.020, or to make any additions, betterments, or alterations thereto, or extensions thereof, the city or town legislative body, may set aside into a special fund and pledge to the payment of such principal and interest any sums or amounts which may accrue from the collection of service rates and charges for the private and public use of said sewerage system or systems for the collection and disposal of refuse, in excess of the cost of operation and maintenance thereof as constructed or added to, and the same shall be applied solely to the payment of such interest and bonds. Such pledge of revenue shall constitute a binding obligation, according to its terms, to continue the collection of such revenue so long as such bonds or any of them are outstanding. If the rates and charges are sufficient to meet the debt service requirements on such bonds no general tax need be levied.

Sec. 4. Section 35.92.010, chapter 7, Laws of 1965 and RCW 35.92.010 are each amended to read as follows:

A city or town may construct, condemn and purchase, purchase, acquire, add to, alter, maintain and operate waterworks, within or without its limits, for the purpose of furnishing the city and its inhabitants, and any other persons, with an ample supply of water for all purposes, public and private, including water power and other power derived therefrom, with full power

to regulate and control the use, distribution, and price thereof: PROVIDED, That the rates charged must be uniform for the same class of customers or service. In classifying customers served or service furnished, the city or town governing body may in its discretion consider any or all of the following factors: The difference in cost of service to the various customers; location of the various customers within and without the city or town; the difference in cost of maintenance, operation, repair, and replacement of the various parts of the system; the different character of the service furnished various customers; the quantity and quality of the water furnished; the time of its use; capital contributions made to the system including, but not limited to, assessments; and any other matters which present a reasonable difference as a ground for distinction. No rate shall be charged that is less than the cost of the water and service to the class of customers served.

For such purposes any city or town may take, condemn and purchase, purchase, acquire, and retain water from any public or navigable lake or watercourse, surface or ground, and, by means of aqueducts or pipe lines, conduct it to the city or town; and it may erect and build dams or other works across or at the outlet of any lake or watercourse in this state for the purpose of storing and retaining water therein up to and above high water mark; and for all the purposes of erecting such aqueducts, pipe lines, dams, or waterworks or other necessary structures in storing and retaining water, or for any of the purposes provided for by this chapter, the city or town may occupy and use the beds and shores up to the high water mark of any such watercourse or lake, and acquire the right by purchase, or by condemnation and purchase, or otherwise, to any water, water rights, easements or privileges named in this chapter, or necessary for any of said purposes, and the city or town may acquire by purchase or condemnation and purchase any properties or privileges necessary to be had to protect its water supply from pollution. Should private property be necessary for any such purposes or for storing water above high water mark, the city or town may condemn and purchase, or purchase and acquire such private property.

Sec. 5. Section 35.92.020, chapter 7, Laws of 1965 and RCW 35.92.020 are each amended to read as follows:

A city or town may also construct, condemn and purchase, purchase, acquire, add to, alter, maintain, and operate systems of sewerage, and systems and plants for garbage and refuse collection and disposal, with full authority to manage, regulate, operate, and control them, and to fix the price of service thereof, within and without the limits of the city or town: PROVIDED, That the rates charged must be uniform for the same class of customers or service. In classifying customers served or service furnished by such system of sewerage, the city or town governing body may in its discretion consider any or all of the following factors: The difference in cost of service to the various customers; the location of the various customers within and without the city or town; the difference in cost of maintenance, operation, repair, and replacement of the various parts of the system; the different character of the service furnished various customers; the quantity and quality of the sewage delivered and the time of its delivery; capital contributions made to the system, including but not limited to, assessments; and any other matters which present a reasonable difference as a ground for distinction.

Sec. 6. Section 35.92.025, chapter 7, Laws of 1965 and RCW 35.92.025 are each amended to read as follows:

Cities and towns are authorized to charge property owners seeking to connect to the water or sewerage system of the city or town as a condition to granting the right to so connect, in addition to the cost of such connection, such reasonable connection charge as the legislative body of the city or town shall determine proper in order that such property owners shall bear their equitable share of the cost of such system. The equitable share may include interest charges applied from the date of construction of the water or sewer system until the connection, or for a period not to exceed ten years, at a rate commensurate with the rate of interest applicable to the city or town at the time of construction or major rehabilitation of the water or sewer system, or at the time of installation of the water or sewer lines to which the property owner is seeking to connect but not to exceed ten percent per year: PROVIDED, That the aggregate amount of interest shall not exceed the equitable share of the cost of the system allocated to such property owners. Connection charges collected shall be considered revenue of such system.

Sec. 7. Section 2, chapter 208, Laws of 1975 1st ex. sess. as amended by section 2, chapter 164, Laws of 1977 ex. sess. and RCW 35.92.022 are each amended to read as follows:

A city or town may construct, condemn, purchase, acquire, add to, alter, and extend systems and plants for the collection and disposal of solid waste and for its processing and conversion into other valuable or useful products with full jurisdiction and authority to manage, regulate, maintain, operate and control such systems and plants, and to enter into agreements providing for the maintenance and operation of systems and plants for the processing and conversion of solid waste and for the sale of said products under such terms and conditions as may be determined by the legislative authority of said city or town: PROVIDED HOWEVER, That no such solid waste processing and conversion plant now in existence or hereafter constructed may be condemned: PROVIDED FURTHER, That agreements relating to the sale of solid materials recovered during the processing of solid waste shall take place only after the receipt of

competitive written bids by such city or town; AND PROVIDED FURTHER, That all documentary material of any nature associated with the negotiation and formulation of agreement terms and conditions shall become matters of public record as it applies to:

(a) The maintenance and operation of systems and plants for the processing and conversion of solid waste;

(b) The sale of products resulting from such processing and conversion; and

(c) Any materials recovered during the processing of solid waste.

Agreements relating to systems and plants for the processing and conversion of solid wastes to useful products and agreements relating to sale of such products shall be in compliance with RCW 35.21.120. Any agreement for the sale of solid materials recovered during the processing of solid waste shall be entered into only after public advertisement and evaluation of competitive written bids.

Sec. 8. Section 35.92.030, chapter 7, Laws of 1965 and RCW 35.92.030 are each amended to read as follows:

A city or town may also construct, condemn and purchase, purchase, acquire, add to, alter, maintain, and operate works, plants and facilities for the preparation and manufacture of all stone or asphalt products or compositions or other materials which may be used in street construction or maintenance, together with the right to use them, and also fix the price of and sell such products for use in the construction of municipal improvements.

Sec. 9. Section 35.92.050, chapter 7, Laws of 1965 and RCW 35.92.050 are each amended to read as follows:

A city or town may also construct, condemn and purchase, purchase, acquire, add to, alter, maintain and operate works, plants, facilities for the purpose of furnishing the city or town and its inhabitants, and any other persons, with gas, electricity, and other means of power and facilities for lighting, heating, fuel, and power purposes, public and private, with full authority to regulate and control the use, distribution, and price thereof, together with the right to handle and sell or lease, any meters, lamps, motors, transformers, and equipment or accessories of any kind, necessary and convenient for the use, distribution, and sale thereof; authorize the construction of such plant or plants by others for the same purpose, and purchase gas, electricity, or power from either within or without the city or town for its own use and for the purpose of selling to its inhabitants and to other persons doing business within the city or town and regulate and control the use and price thereof.

Sec. 10. Section 35.92.060, chapter 7, Laws of 1965 as amended by section 2, chapter 25, Laws of 1981 and RCW 35.92.060 are each amended to read as follows:

A city or town may also construct, condemn and purchase, purchase, acquire, add to, alter, maintain, operate, or lease cable, electric, and other railways, automobiles, motor cars, motor buses, auto trucks, and any and all other forms or methods of transportation of freight or passengers within the corporate limits of the city or town for the transportation of freight and passengers above, upon, or underneath the ground. It may also fix, alter, regulate, and control the fares and rates to be charged therefor; and fares or rates may be adjusted or eliminated for any distinguishable class of users including, but not limited to, senior citizens, handicapped persons, and students. Without the payment of any license fee or tax, or the filing of a bond with, or the securing of a permit from, the state, or any department thereof, the city or town may engage in, carry on, and operate the business of transporting and carrying passengers or freight for hire by any method or combination of methods that the legislative authority of any city or town may by ordinance provide, with full authority to regulate and control the use and operation of vehicles or other agencies of transportation used for such business.

Sec. 11. Section 35.92.070, chapter 7, Laws of 1965 and RCW 35.92.070 are each amended to read as follows:

When the governing body of a city or town deems it advisable that the city or town purchase, acquire, or construct any such public utility ~~((or make any additions and betterments thereto or extensions thereof))~~, it shall provide therefor by ordinance, which shall specify and adopt the system or plan proposed, and declare the estimated cost thereof, as near as may be, and the ordinance shall be submitted for ratification or rejection ~~((to))~~ by majority vote of the voters of the city or town at a general or special election, except in the following cases where no submission shall be necessary:

(1) ~~((When the work proposed is an addition to, or betterment of, or extension of, or an increased water supply for, existing waterworks, or an addition, betterment, or extension of an existing system or plant of any other public utility for which no general indebtedness is to be incurred by the city or town;~~

~~((2))~~ When in the charter of a city ~~((or town))~~ a provision has been adopted authorizing the corporate authorities thereof to provide by ordinance for acquiring, opening, or operating any of such public utilities ~~((for which no general indebtedness is to be incurred));~~ or

~~((3))~~ (2) When in the judgment of the corporate authority, the public health is being endangered by the discharge of raw or untreated sewage into any ~~((river or stream))~~ body of water and the danger to the public health may be abated by the construction and maintenance of a sewage disposal plant ~~((for which no general indebtedness shall be incurred by the city or town responsible for such contamination;~~



If a general indebtedness is to be incurred, the amount and terms thereof shall be included in the proposition submitted to the voters and such proposition shall be adopted by three fifths of the voters voting at such election.

If no general indebtedness is to be incurred the proposition may be adopted by a majority vote).

Ten days' notice of the election shall be given in the newspaper doing the city or town printing, by publication in each issue of the paper during such time.

When a proposition has been adopted, or in the cases where no submission is necessary, the corporate authorities of the city or town may proceed forthwith to purchase, construct, and acquire the public utility or make additions, betterments, and extensions thereto and to make payment therefor.

Sec. 12. Section 35.92.080, chapter 7, Laws of 1965 as last amended by section 23, chapter 186, Laws of 1984 and RCW 35.92.080 are each amended to read as follows:

~~(When the voters have adopted a proposition for any public utility and have authorized a general indebtedness, general city or town bonds may be issued.)~~ General obligation bonds may be issued by a city or town for the purposes of providing all or part of the costs of purchasing, acquiring, or constructing a public utility or making any additions, betterments, or alterations thereto, or extensions thereof. The bonds shall be issued and sold in accordance with chapter 39.46 RCW.

There shall be levied each year a tax upon the taxable property of the city or town sufficient to pay the interest on and principal of the bonds then due, which taxes shall become due and collectible as other taxes; PROVIDED, That it may pledge to the payment of such principal and interest the revenue of the public utility being acquired, constructed, or improved out of the proceeds of sale of such bonds. Such pledge of revenue shall constitute a binding obligation, according to its terms, to continue the collection of such revenue so long as such bonds or any of them are outstanding, and to the extent that revenues are insufficient to meet the debt service requirements on such bonds, the governing body of the municipality shall provide for the levy of taxes sufficient to meet such deficiency.

**NEW SECTION.** Sec. 13. The following acts or parts of acts are each repealed:

- (1) Section 35.22.380, chapter 7, Laws of 1965 and RCW 35.22.380;
- (2) Section 35.22.390, chapter 7, Laws of 1965 and RCW 35.22.390;
- (3) Section 35.22.400, chapter 7, Laws of 1965 and RCW 35.22.400; and
- (4) Section 35.67.070, chapter 7, Laws of 1965, section 22, chapter 186, Laws of 1984 and RCW 35.67.070."

On page 1, line 1 of the title, after "utilities;" strike the remainder of the title and insert "amending RCW 35.67.030, 35.67.110, 35.92.010, 35.92.020, 35.92.025, 35.92.022, 35.92.030, 35.92.050, 35.92.060, 35.92.070, and 35.92.080; adding a new section to chapter 35.67 RCW; and repealing RCW 35.22.380, 35.22.390, 35.22.400, and 35.67.070."

Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Allen, Bristow, Brough, Doty, Ebersole, Hine, May, Rayburn and Smitherman.

MINORITY recommendation: Do not pass. Signed by Representatives Isaacson, Patrick, Winsley and Zellinsky.

Absent: Representative Smitherman.

Passed to Committee on Rules for second reading.

April 1, 1985

ESSB 3778 Prime Sponsor, Committee on Education: Revising the basic education formula. Reported by Committee on Education

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 16 after "year" insert "; PROVIDED FURTHER, That local districts are encouraged to provide additional teachers in grades kindergarten through three with the additional funding generated by the increase in the ratio of certificated personnel to annual average full time equivalent students above fifty certificated personnel to one thousand annual average full time students"

On page 3, line 1 strike "appropriations" and insert "(~~appropriations~~) ways and means"

Signed by Representatives Ebersole, Chair; Valle, Vice Chair; Appelwick, Betzoff, Chandler, Cole, Holland, Long, Peery, Rayburn, Rust, L. Smith, Taylor, Todd, Walker and Wang.

MINORITY recommendation: Do not pass. Signed by Representative Fuhrman.

Absent: Representatives P. King and Schoon.

Referred to Committee on Ways & Means.

April 2, 1985

SB 3812 Prime Sponsor, Senator Kreidler: Modifying penalty provisions on the violation of water pollution control statutes. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

\*NEW SECTION, Sec. 1. By January 1, 1986, the department of ecology shall report to the legislature all enforcement actions initiated from 1983 through November, 1985 regarding the protection of Puget Sound water quality. The report shall include the number and type of complaints received, the number of inspections conducted, the number of violations cited, the number of variances granted, the amount of penalties collected, the number of times maximum fines were collected, the number of penalties that were rescinded, and the number of criminal actions that were taken. The department of ecology shall also hold public hearings in December, 1985 in accordance with the administrative procedure act, chapter 34.04 RCW, regarding the adequacy of current enforcement activities. A report summarizing the testimony presented shall also be prepared for the legislature by February 15, 1986.

Sec. 2. Section 14, chapter 139, Laws of 1967 ex. sess. as last amended by section 9, chapter 155, Laws of 1973 and RCW 90.48.144 are each amended to read as follows:

Every person who:

(1) Violates the terms or conditions of a waste discharge permit issued pursuant to RCW 90.48.180 or this amendatory act, or

(2) Conducts a commercial or industrial operation or other point source discharge operation without a waste discharge permit as required by RCW 90.48.160 or this amendatory act, or

(3) Violates the provisions of RCW 90.48.080, or other sections of this chapter or regulations or orders adopted or issued pursuant thereto, shall incur, in addition to any other penalty as provided by law, a penalty in an amount of up to ~~((five))~~ ten thousand dollars a day for every such violation. Each and every such violation shall be a separate and distinct offense, and in case of a continuing violation, every day's continuance shall be and be deemed to be a separate and distinct violation. Every act of commission or omission which procures, aids or abets in the violation shall be considered a violation under the provisions of this section and subject to the penalty herein provided for. The penalty amount shall be set in consideration of the previous history of the violator in addition to other relevant factors. The penalty herein provided for shall be imposed by a notice in writing, either by certified mail with return receipt requested or by personal service, to the person incurring the same from the director of the department or his authorized delegate describing such violation with reasonable particularity. The director or his authorized delegate may, upon written application therefor received within fifteen days after notice imposing any penalty is received by the person incurring the penalty, and when deemed in the best interest to carry out the purposes of this chapter, remit or mitigate any penalty provided for in this section upon such terms as he in his discretion shall deem proper, and shall have authority to ascertain the facts upon all such applications in such manner and under such regulations as he may deem proper. The director shall remit or mitigate penalties only upon a demonstration of extraordinary circumstances such as the presence of information or factors not considered in setting the original penalty. Any person incurring any penalty hereunder may appeal the same to the hearings board as provided for in chapter 43.21B RCW. Such appeals shall be filed within thirty days of receipt of notice imposing any penalty unless an application for remission or mitigation is made to the department. When an application for remission or mitigation is made, such appeals shall be filed within thirty days of receipt of notice from the director or his authorized delegate setting forth the disposition of the application. Any penalty imposed hereunder shall become due and payable thirty days after receipt of a notice imposing the same unless application for remission or mitigation is made or an appeal is filed. When an application for remission or mitigation is made, any penalty incurred hereunder shall become due and payable thirty days after receipt of notice setting forth the disposition of the application unless an appeal is filed from such disposition. Whenever an appeal of any penalty incurred hereunder is filed, the penalty shall become due and payable only upon completion of all review proceedings and the issuance of a final order confirming the penalty in whole or in part. If the amount of any penalty is not paid to the department within thirty days after it becomes due and payable, the attorney general, upon the request of the director, shall bring an action in the name of the state of Washington in the superior court of Thurston county or of any county in which such violator may do business, to recover such penalty. In all such actions the procedure and rules of evidence shall be the same as an ordinary civil action except as otherwise in this chapter provided. All penalties recovered under this section shall be paid into the state treasury and credited to the general fund.

Sec. 3. Section 18, chapter 216, Laws of 1945 as last amended by section 2, chapter 155, Laws of 1973 and RCW 90.48.120 are each amended to read as follows:

(1) Whenever, in the opinion of the department, any person shall violate or ~~((is about))~~ creates a substantial potential to violate the provisions of this chapter, or fails to control the

polluting content of waste discharged or to be discharged into any waters of the state, the department shall notify such person of its determination by registered mail. Such determination shall not constitute an order or directive under RCW 90.48.135. Within thirty days from the receipt of notice of such determination, such person shall file with the department a full report stating what steps have been and are being taken to control such waste or pollution or to otherwise comply with the determination of the department. Whereupon the department shall issue such order or directive as it deems appropriate under the circumstances, and shall notify such person thereof by registered mail.

(2) Whenever the department deems immediate action is necessary to accomplish the purposes of chapter 90.48 RCW, it may issue such order or directive, as appropriate under the circumstances, without first issuing a notice or determination pursuant to subsection (1) of this section. An order or directive issued pursuant to this subsection shall be served by registered mail or personally upon any person to whom it is directed.

Sec. 4. Section 5, chapter 133, Laws of 1969 ex. sess. as amended by section 10, chapter 88, Laws of 1970 ex. sess. and RCW 90.48.340 are each amended to read as follows:

The director shall investigate each activity or project conducted under RCW 90.48.330 to determine, if possible, the circumstances surrounding the entry of oil into waters of the state and the person or persons allowing said entry or responsible for the act or acts which result in said entry. Whenever it appears to the director, after investigation, that a specific person or persons are responsible for the necessary expenses incurred by the state pertaining to a project or activity as specified in RCW 90.48.335, the director shall notify said person or persons by appropriate order: PROVIDED, That no order may be issued pertaining to a project or activity which was completed more than five years prior to the date of the proposed issuance of the order. Said order shall state the findings of the director, the amount of necessary expenses incurred by the commission in conducting the project or activity, and a notice that said amount is due and payable immediately upon receipt of said order. The commission may, upon application from the recipient of an order received within thirty days from the receipt of the order, reduce or set aside in its entirety the amount due and payable, when it appears from the application, and from any further investigation the commission may desire to undertake, that a reduction or setting aside is just and fair under all the circumstances. If the amount specified in the order issued by the director notifying said person or persons is not paid within thirty days after receipt of notice imposing the same, or if an application has been made within thirty days as herein provided and the amount provided in the order issued by the commission subsequent to such application is not paid within fifteen days after receipt thereof, the attorney general, upon request of the director, shall bring an action on behalf of the state in the superior court of Thurston county or any county in which the person to which the order is directed does business to recover the amount specified in the final order of the director or the commission, as appropriate. No order issued under this section shall be construed as an order within the meaning of RCW 90.48.135. In any action to recover necessary expenses as herein provided said person shall be relieved from liability for necessary expenses if he can prove that the oil to which the necessary expenses relate entered the waters of the state by causes set forth in RCW 90.48.320(3). ~~((For purposes of this section "necessary expenses" shall not include expenses relating to investigation or the performance of surveillance.))~~

Sec. 5. Section 13, chapter 139, Laws of 1967 ex. sess. as amended by section 12, chapter 88, Laws of 1970 ex. sess. and RCW 90.48.142 are each amended to read as follows:

Any person who violates any of the provisions of this chapter, or fails to perform any duty imposed by this chapter, or violates an order or other determination of the commission or the director made pursuant to the provisions of this chapter, including the conditions of a waste discharge permit issued pursuant to RCW 90.48.160, and in the course thereof causes the death of, or injury to, fish, animals, vegetation or other resources of the state, or otherwise causes a measurable reduction in the quality of the state's waters (~~below the standards set by the commission~~), thereby damaging the same, shall be liable to pay the state damages in an amount equal to the sum of money necessary to restock such waters, replenish such resources, and otherwise restore the stream, lake or other water source to its condition prior to the injury, as such condition is determined by the commission. Such damages shall be recoverable in an action brought by the attorney general on behalf of the people of the state of Washington in the superior court of the county in which such damages occurred: PROVIDED, That if damages occurred in more than one county the attorney general may bring action in any of the counties where the damages occurred. Any money so recovered by the attorney general shall be transferred to either the state game fund or the department of fisheries to use for food fish or shellfish management purposes and propagation, or to any other agency of the state having jurisdiction over the resource damaged and for which said moneys were recovered, as appropriate: PROVIDED, That the agency receiving such money shall utilize not less than one-half of said money on activities or projects within the county where the action was brought by the attorney general. No action shall be authorized under this section against any person operating in compliance with the conditions of a waste discharge permit issued pursuant to RCW 90.48.160.

Sec. 6, Section 7, chapter 133, Laws of 1969 ex. sess. as amended by section 9, chapter 88, Laws of 1970 ex. sess. and RCW 90.48.350 are each amended to read as follows:

Any person who (~~intentionally or negligently~~) discharges oil, or causes or permits the entry of the same, shall incur, in addition to any other penalty as provided by law, a penalty in an amount of up to twenty thousand dollars for every such violation, and for each day of a continuing violation; said amount to be determined by the director of the commission after taking into consideration the gravity of the violation, the previous record of the violator in complying, or failing to comply, with the provisions of chapter 90.48 RCW, and such other considerations as the director deems appropriate. Every act of commission or omission which procures, aids or abets in the violation shall be considered a violation under the provisions of this section and subject to the penalty herein provided for. The penalty herein provided for shall become due and payable when the person incurring the same receives a notice in writing from the director of the commission describing such violation with reasonable particularity and advising such person that the penalty is due. The director may, upon written application therefor, received within fifteen days, and when deemed in the best interest of the state in carrying out the purposes of this chapter, remit or mitigate any penalty provided for in this section or discontinue any prosecution to recover the same upon such terms as he in his discretion shall deem proper, and shall have the authority to ascertain the facts upon all such applications in such manner and under such regulations as he may deem proper. If the amount of such penalty is not paid to the commission within fifteen days after the receipt of notice imposing the same, or if an application for remission or mitigation has been made within fifteen days as herein provided and the amount provided in the order issued by the director subsequent to such application is not paid within fifteen days after the receipt thereof, the attorney general, upon the request of the director, shall bring an action in the name of the state of Washington in the superior court of Thurston county or any other county in which such violator may do business, to recover the amount specified in the final order of the director. In all such actions the procedure and rules of evidence shall be the same as an ordinary civil action except as otherwise in this chapter provided. All penalties recovered under this section shall be paid into the state treasury and credited to the general fund. No order issued under this section shall be construed as an order within the meaning of RCW 90.48.135."

On page 1, line 1 of the title, after "control;" strike the remainder of the title and insert "amending RCW 90.48.144, 90.48.120, 90.48.340, 90.48.142, and 90.48.350; and creating a new section."

Signed by Representatives Rust, Chair; Unsoeld, Vice Chair; Allen, Brekke, Brough, Jacobsen, R. King, Lewis, Lux, Nutley and Valle.

MINORITY recommendation: Do not pass. Signed by Representatives Barnes, Isaacson and May.

Absent: Representative Bond.

Passed to Committee on Rules for second reading.

April 1, 1985

ESSB 3898 Prime Sponsor, Committee on Human Services & Corrections: Clarifying definition of occupational therapist. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 5, chapter 9, Laws of 1984 and RCW 18.59.040 are each amended to read as follows:

This chapter shall not be construed as preventing or restricting the practice, services, or activities of:

(1) A person licensed in this state under any other law from engaging in the profession or occupation for which the person is licensed;

(2) A person employed as an occupational therapist or occupational therapy assistant by the government of the United States, if the person provides occupational therapy solely under the directions or control of the organization by which the person is employed;

(3) A person pursuing a course of study leading to a degree or certificate in occupational therapy in an accredited or approved educational program if the activities and services constitute a part of a supervised course of study, if the person is designated by a title which clearly indicated the person's status as a student or trainee;

(4) A person fulfilling the supervised fieldwork experience requirements of RCW 18.59.050, if the activities and services constitute a part of the experience necessary to meet the requirements of RCW 18.59.050;

(5) A person performing occupational therapy services in the state, if the services are performed for no more than ninety working days and if:

(a) The person is licensed under the laws of another state which has licensure requirements at least as stringent as the requirements of this chapter, as determined by the board;

(b) The person has met commonly accepted standards for the practice of occupational therapy as specifically defined by the board;

(6) A person employed by or supervised by an occupational therapist as an occupational therapy aide; ((or))

(7) A person with a limited permit. A limited permit may be granted to persons who have completed the education and experience requirements of this chapter, or education and experience requirements which the board deems equivalent to those specified as requirements for licensure. The limited permit allows the applicant to practice in association with an occupational therapist. The limited permit is valid until the results of the next examination have been made public. One extension of this permit may be granted if the applicant has failed the examination, but during this period the person shall be under the direct supervision of an occupational therapist;

(8) Any persons who teach daily living skills, develop prevocational skills, and play and avocational capabilities, or adapt equipment or environments for the handicapped, or who do specific activities to enhance cognitive, perceptual motor, sensory integrative and psychomotor skills, but who do not hold themselves out to the public by any title, initials, or description of services as being engaged in the practice of occupational therapy; or

(9) Any person who designs, fabricates, or applies orthotic or prosthetic devices which are prescribed by a health care professional authorized by the laws of the state of Washington to prescribe the device or to direct the design, fabrication or application of the device.

NEW SECTION. Sec. 2. A new section is added to chapter 43.131 RCW to read as follows:  
The regulation of occupational therapy under chapter 18.59 RCW shall be terminated on June 30, 1990, as provided in section 3 of this act.

NEW SECTION. Sec. 3. A new section is added to chapter 43.131 RCW to read as follows:  
The following acts or parts of acts are each repealed, effective June 30, 1991:

- (1) Section 2, chapter 9, Laws of 1984 and RCW 18.59.010;
- (2) Section 3, chapter 9, Laws of 1984 and RCW 18.59.020;
- (3) Section 4, chapter 9, Laws of 1984 and RCW 18.59.030;
- (4) Section 5, chapter 9, Laws of 1984 and RCW 18.59.040;
- (5) Section 6, chapter 9, Laws of 1984 and RCW 18.59.050;
- (6) Section 7, chapter 9, Laws of 1984 and RCW 18.59.060;
- (7) Section 8, chapter 9, Laws of 1984 and RCW 18.59.070;
- (8) Section 9, chapter 9, Laws of 1984 and RCW 18.59.080;
- (9) Section 10, chapter 9, Laws of 1984 and RCW 18.59.090;
- (10) Section 11 chapter 9, Laws of 1984 and RCW 18.59.100;
- (11) Section 12, chapter 9, Laws of 1984, section 58, chapter ... (SB 3041), Laws of 1985 and RCW 18.59.110;
- (12) Section 13, chapter 9, Laws of 1984 and RCW 18.59.120;
- (13) Section 14, chapter 9, Laws of 1984 and RCW 18.59.130;
- (14) Section 17, chapter 9, Laws of 1984 and RCW 18.59.140;
- (15) Section 15, chapter 9, Laws of 1984 and RCW 18.59.150;
- (16) Section 16, chapter 9, Laws of 1984 and RCW 18.59.200;
- (17) Section 1, chapter 9, Laws of 1984 and RCW 18.59.900; and
- (18) Section 21, chapter 9, Laws of 1984 and RCW 18.59.905."

On page 1, line 2 of the title, strike "and creating a new section" and insert "; adding new sections to chapter 43.131 RCW; and repealing RCW 18.59.010, 18.59.020, 18.59.030, 18.59.040, 18.59.050, 18.59.060, 18.59.070, 18.59.080, 18.59.090, 18.59.100, 18.59.110, 18.59.120, 18.59.130, 18.59.140, 18.59.150, 18.59.200, 18.59.900, and 18.59.905"

Signed by Representatives Brekke, Chair; Day, Vice Chair; Armstrong, Ballard, Braddock, Brooks, Dellwo, Leonard, Lewis, Padden, Scott, West and Winsley.

Absent: Representatives Dobbs, Lux, Tanner and S. Wilson.

Passed to Committee on Rules for second reading.

April 2, 1985

ESB 4115 Prime Sponsor, Senator Warnke: Authorizing industrial development bonds for sports facilities. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives McMullen, Chair; Kremen, Vice Chair; Braddock, Day, Dobbs, Doty, Hargrove, J. King, May, Niemi, Rayburn, Schmidt, Schoon, Scott, Silver, L. Smith, Smitherman, Thomas, van Dyke, Vekich and Wineberry.

Absent: Representatives Lundquist, Tanner and B. Williams.

Passed to Committee on Rules for second reading.

March 29, 1985

ESB 4127 Prime Sponsor, Senator Wojahn: Revising provisions relating to alcoholic beverage licenses. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Betrozoff, Chandler, Fisch, Fisher, R. King, O'Brien, Patrick, Sayan, Walker and J. Williams.

Referred to Committee on Ways & Means.

March 28, 1985

ESB 4227 Prime Sponsor, Senator Bender: Changing provisions relating to scoliosis screening. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

\*Sec. 1. Section 1, chapter 47, Laws of 1979 and RCW 28A.31.130 are each amended to read as follows:

The legislature recognizes that the condition known as (~~(idiopathic)~~) scoliosis, a lateral curvature of the spine commonly appearing in adolescents, can develop into a permanent, crippling disability if left untreated. Early diagnosis and referral can often result in the successful treatment of this condition and greatly reduce the need for major surgery. Therefore, the purpose of RCW 28A.31.130 through 28A.31.142 is to recognize that a school screening program is an invaluable tool for detecting the number of adolescents with scoliosis. It is the intent of the legislature to insure that the superintendent of public instruction provide and require screening for the condition known as scoliosis of all children in the highest risk age group, grades 5 through ~~((8))~~ 10, to ascertain which, if any, of these children have defects requiring corrective treatment.

Sec. 2. Section 2, chapter 47, Laws of 1979 and RCW 28A.31.132 are each amended to read as follows:

As used in (~~this chapter~~) RCW 28A.31.130 through 28A.31.142, the following terms have the meanings indicated.

(1) 'Superintendent' means the superintendent of public instruction of public schools in the state, or his designee.

(2) 'Pupil' means a student enrolled in the public school system in the state.

(3) 'Scoliosis' includes idiopathic scoliosis and kyphosis.

(4) 'Screening' means an examination to be performed on all pupils in grades 5 through ~~((8))~~ 10 for the purpose of detecting the condition known as scoliosis, except as provided in section 6 of this 1985 act.

~~((4))~~ (5) 'Public schools' means the common schools referred to in Article IX of the state Constitution and those schools and institutions of learning having a curriculum below the college or university level as now or may be established by law and maintained at public expense.

Sec. 3. Section 3, chapter 47, Laws of 1979 and RCW 28A.31.134 are each amended to read as follows:

The superintendent shall provide for and require the yearly examination of all children attending public schools in grades 5 through ~~((8))~~ 10, except as provided in section 6 of this 1985 act, in accordance with procedures and standards adopted by rule of the state board of health in cooperation with the superintendent of public instruction. The examination shall be made by a school physician, school nurse, or physical education instructor or by other school personnel. Proper training of the personnel in the screening process for scoliosis shall be provided by the superintendent.

Sec. 4. Section 4, chapter 47, Laws of 1979 and RCW 28A.31.136 are each amended to read as follows:

Every person performing the screening under RCW 28A.31.134 shall promptly prepare a record of the screening of each child found to have or suspected of having scoliosis and shall send copies of the records to the parents or guardians of the children. The notification shall include an explanation of (~~(idiopathic)~~) scoliosis, the significance of treating it at an early stage, and the services generally available for the treatment after diagnosis.

Sec. 5. Section 6, chapter 47, Laws of 1979 and RCW 28A.31.140 are each amended to read as follows:

Any pupil shall be exempt from the examination upon written request of his or her parent or guardian if the parent or guardian certifies that:

(1) The screening conflicts with the philosophical or religious beliefs; or

(2) The student is presently under the care of a health care provider for spinal curvature or a related medical condition.

NEW SECTION. Sec. 6. A new section is added to chapter 28A.31 RCW to read as follows:

After July 1, 1987, the superintendent of public instruction may waive screening for scoliosis for grades 9 and/or 10, not withstanding RCW 28A.31.132(4) and 28A.31.134, after conducting a cost/benefit analysis of such screening for school years 1985-86 and 1986-87."

On page 1, line 1 of the title, after "schools;" strike the remainder of the title and insert "amending RCW 28A.31.130, 28A.31.132, 28A.31.134, 28A.31.136, and 28A.31.140; and adding a new section to chapter 28A.31 RCW."

Signed by Representatives Brekke, Chair; Day, Vice Chair; Armstrong, Braddock, Brooks, Dellwo, Leonard, Lewis, Scott, West and Winsley.

Absent: Representatives Ballard, Dobbs, Lux, Padden, Tanner and S. Wilson.

Passed to Committee on Rules for second reading.

March 29, 1985

SSB 4263 Prime Sponsor, Committee on Commerce & Labor: Providing for the enforcement of the wholesale distributor/supplier equity agreement act. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendments:  
On page 2, line 3 after "the" strike "wholesale distributor" and insert "injured party"  
On page 2, line 5 after "the" strike "wholesale distributor" and insert "injured party"

Signed by Representatives Wang, Chair; Cole, Vice Chair; Betzoff, Chandler, Ebersole, Fisch, Fisher, R. King, O'Brien, Patrick, Sayan, C. Smith, Walker and J. Williams.

Passed to Committee on Rules for second reading.

April 2, 1985

SSB 4424 Prime Sponsor, Committee on Agriculture: Reopening the certification period of the pollution control board for certain parties to the Yakima adjudication. Reported by Committee on Agriculture

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 4, chapter 216, Laws of 1979 ex. sess. and RCW 90.14.043 are each amended to read as follows:

(1) Notwithstanding any time restrictions imposed by the provisions of chapter 90.14 RCW, a person may file a claim pursuant to RCW 90.14.041 if such person obtains a certification from the pollution control hearings board as provided in this section.

(2) A certification shall be issued by the pollution control hearings board if, upon petition to the board, it is shown to the satisfaction of the board that:

(a) Waters of the state have been applied to beneficial use continuously (with no period of nonuse exceeding five consecutive years) in the case of surface water beginning not later than June 7, 1917, and in the case of ground water beginning not later than June 7, 1945, or

(b) Waters of the state have been applied to beneficial use continuously (with no period of nonuse exceeding five consecutive years) from the date of entry of a court decree confirming a water right and any failure to register a claim resulted from a reasonable misinterpretation of the requirements as they related to such court decreed rights.

(3) The board shall have jurisdiction to accept petitions for certification from any person through December 31, ((1979)) 1985, and not thereafter.

(4) A petition for certification shall include complete information on the claim pursuant to RCW 90.14.051 (1) through (8), and any such information as the board may require.

(5) The department of ecology is directed to accept for filing any claim certified by the board as provided in subsection (2) of this section. The department of ecology, upon request of the board, may provide assistance to the board pertinent to any certification petition.

(6) A certification by the pollution control hearings board or a filing with the department of ecology of a claim under this section shall not constitute a determination or confirmation that a water right exists.

(7) The provisions of RCW 90.14.071 shall have no applicability to certified claims filed pursuant to this section.

(8) This section shall have no applicability to ground waters resulting from the operations of reclamation projects.

NEW SECTION. Sec. 2. A new section is added to chapter 90.14 RCW to read as follows:

The provisions of this 1985 amendatory act authorizing the acceptance of a petition for certification filed during the period beginning on the effective date of this 1985 amendatory act and ending on midnight, December 31, 1985, shall not affect or impair in any respect whatsoever any water right existing prior to the effective date of this 1985 act, and any water right

claimed as a result of a filing made during such period shall be junior to rights existing prior to this 1985 act.

NEW SECTION. Sec. 3. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, on line 1 of the title, after "RCW 90.14.043;" insert "adding a new section to chapter 90.14 RCW:"

Signed by Representatives Vekich, Chair; Baugher, Vice Chair; Ballard, Bristow, Brooks, Chandler, Doty, Kremen, Madsen, Nealey and Peery.

Absent: Representative Bristow.

Passed to Committee on Rules for second reading.

April 2, 1985

SSJM 104 Prime Sponsor, Committee on Governmental Operations: Petitioning Congress to enact legislation to provide financial assistance to Japanese-Americans who were relocated during World War II. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Belcher, Chair; Peery, Vice Chair; Baugher, O'Brien, Todd, Vekich and Walk.

MINORITY recommendation: Do not pass. Signed by Representatives Brooks, Hankins, Sanders and van Dyke.

Voting nay: Representatives Brooks, Hankins, Sanders, Taylor and van Dyke.

Absent: Representative Fuhrman.

Passed to Committee on Rules for second reading.

#### SECOND READING

SUBSTITUTE SENATE BILL NO. 3180, by Committee on Governmental Operations (originally sponsored by Senator Kreidler)

Requiring salary surveys to be completed by September 30 prior to the convening of the one hundred five day legislative session.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass as amended. (For amendment, see Journal, 73rd Day, March 27, 1985.)

On motion of Ms. Belcher, the committee amendment was adopted.

On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Belcher spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3180 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; absent, 2; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Todd, Unsoeld, Valle, van Dyke, Van Luvan, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Absent: Representatives Isaacson, Schmidt - 2.

Excused: Representative Tilly - 1.

Substitute Senate Bill No. 3180 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.



The Speaker (Mr. O'Brien presiding) declared the House to be at ease.  
The Speaker called the House to order.

### THIRD READING

ENGROSSED SENATE BILL NO. 3189 AS AMENDED BY THE HOUSE, by Senators Thompson, Granlund, Kreidler, McManus, DeJarnatt, Garrett and Vognilid

Allowing payroll deductions for political action committees of public employee organizations.

The bill was read the third time and placed on final passage.

Representative Fisher spoke in favor of passage of the bill, and Representatives Barnes, Taylor, Padden, Silver, Patrick, Nealey and Isaacson spoke against it.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3189 as amended by the House, and the bill passed the House by the following vote: Yeas, 53; nays, 44; excused, 1.

Voting yea: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 53.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, Lewis, Locke, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, van Dyke, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson S - 44.

Excused: Representative Tilly - 1.

Engrossed Senate Bill No. 3189 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.

There being no objection, the House reverted to the sixth order of business.

### SECOND READING

HOUSE BILL NO. 625, by Representative McMullen

Establishing a department of trade and economic development.

The bill was read the second time.

### POINT OF ORDER

Mr. Barrett: "Mr. Speaker, House Bill 625, by its nature and by the nature of the rules that we adopted at the start of the session, doesn't appear to be properly before us. I would ask you to rule on the appropriateness of taking action on HB 625 in light of the rules under which we operate."

### SPEAKER'S RULING

The Speaker: "Senate Concurrent Resolution No. 105, the cut-off resolution, reads, '...matters necessary to implement the budget.' It is the view of the Speaker that House Bill No. 625 is necessary to implement the budget."

On motion of Mr. McMullen, Substitute House Bill No. 625 was substituted for House Bill No. 625 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 625 was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives McMullen, B. Williams and Schoon spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 625, and the bill passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Vander Stoep - 1.

Excused: Representative Tilly - 1.

Substitute House Bill No. 625, having received the 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. 3012, by Committee on Judiciary (originally sponsored by Senators Talmadge, Moore, Conner, Wojahn, Williams, Rasmussen and Peterson)

Enacting penalties and procedures to prevent harassment.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal, 75th Day, March 29, 1985.)

Mr. Armstrong moved adoption of the committee amendment.

The Clerk read the following amendment by Representative Armstrong to the committee amendment:

On page 8, after line 5 insert the following:

**\*NEW SECTION. Sec. 12.** The following acts or parts of acts are each repealed:

(1) Section 181, chapter 249, Laws of 1909 and RCW 9.58.110; and

(2) Section 182, chapter 249, Laws of 1909 and RCW 9.58.120.\*

Renumber the remaining sections consecutively.

With the consent of the House, Mr. Armstrong withdrew the amendment to the amendment.

Representatives Padden and Armstrong spoke in favor of the committee amendment.

The committee amendment was adopted.

On motion of Mr. Armstrong, the committee amendment to the title of the bill was adopted.

On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Armstrong, Schmidt and May spoke in favor of passage of the bill.

## POINT OF INQUIRY

Mr. Armstrong yielded to question by Mr. Wineberry.

Mr. Wineberry: "Representative Armstrong, I would like to ask if the scope of this harassment legislation would also include collection agencies which harass or threaten individuals with the well-being of their person, either mental or physical?"

Mr. Armstrong: "I think it would not, but it depends on whether or not a person is put in 'reasonable fear'."

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3012 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Tilly - 1.

Engrossed Substitute Senate Bill No. 3012 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 16,  
HOUSE BILL NO. 312,  
SUBSTITUTE HOUSE BILL NO. 490,  
SUBSTITUTE HOUSE BILL NO. 850,  
SUBSTITUTE SENATE BILL NO. 3047,  
SUBSTITUTE SENATE BILL NO. 3068,  
SENATE BILL NO. 3072,  
SENATE BILL NO. 3073,  
SENATE BILL NO. 3076,  
SENATE BILL NO. 3079,  
SENATE BILL NO. 3121,  
SENATE BILL NO. 3144,  
SENATE BILL NO. 3312,  
SENATE BILL NO. 3368,  
SENATE BILL NO. 3551,  
SENATE BILL NO. 3576,  
SENATE BILL NO. 4121,  
SENATE BILL NO. 4122,  
SENATE BILL NO. 4169.

ENGROSSED SENATE BILL NO. 3176, by Senators Granlund, Kiskaddon, Kreidler and Stratton; by Department of Social and Health Services request

Revising population limitations in juvenile residential facilities.

The bill was read the second time. Committee on Social & Health Services recommendation: Majority, do pass with the following amendment:

On page 2, line 12 after "release" strike the remainder of the sentence down to the period on line 15.

On motion of Mr. Day, the committee amendment was adopted.

On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Day spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3176 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Todd, Unsoeld, Valle, van Dyke, Van Luven,

Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.  
Excused: Representative Tilly - 1.

Engrossed Senate Bill No. 3176 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 3198, by Committee on Judiciary (originally sponsored by Senators Talmadge, Granlund, Halsan, Rinehart and DeJarnatt)

Revising provisions of the victims of sexual assault act.

The bill was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3198, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Tilly - 1.

Substitute Senate Bill No. 3198, having received the 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. 3201, by Committee on Parks & Ecology (originally sponsored by Senators Halsan and Kreidler)

Classifying PCBs as dangerous waste.

The bill was read the second time. Committee on Environmental Affairs recommendation: Majority, do pass with the following amendment:

On page 1, line 6 strike "as dangerous wastes" and insert "under chapter 70.105 RCW"

On motion of Ms. Rust, the committee amendment was adopted.

On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Rust, Allen and Miller spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3201 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Tilly - 1.

Substitute Senate Bill No. 3201 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 3214, by Senators Wojahn, Warnke, Lee, Moore, Williams, Halsan, Fleming and Peterson

Declaring economic development programs with nonprofit corporations to be a public purpose for cities and counties.

The bill was read the second time. Committee on Trade & Economic Development recommendation: Majority, do pass as amended. (For amendments, see Journal, 75th Day, March 29, 1985.)

On motion of Mr. McMullen, the committee amendments were adopted.

On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. McMullen spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3214 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Tilly - 1.

Engrossed Senate Bill No. 3214 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 3240, by Committee on Judiciary (originally sponsored by Senators Lee, Moore, Metcalf, Bottiger, Benitz, McManus, McCaslin, Gaspard, Bailey, Stratton, Johnson, Garrett, Deccio, Peterson, Hayner, Barr, Craswell, Patterson and McDonald)

Authorizing court to restrain accused offender from entering family home in cases of child abuse.

The bill was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Armstrong spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3240, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Tilly - 1.

Substitute Senate Bill No. 3240, having received the 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. 3254, by Committee on Judiciary (originally sponsored by Senators Talmadge, Hayner, McCaslin, Granlund and Halsan)

Revising certain provisions of domestic violence prevention laws.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal, 75th Day, March 29, 1985.)

Mr. Armstrong moved adoption of the committee amendment.

On motion of Mr. Armstrong, the following amendment to the committee amendment was adopted:

On page 19, line 10 after "matters" insert "except"

The committee amendment as amended was adopted.

On motion of Mr. Armstrong, the committee amendment to the title of the bill was adopted.

On motion of Mr. J. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Armstrong spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3254 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Tilly - 1.

Substitute Senate Bill No. 3254 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.

There being no objection, the House advanced to the eighth order of business.

#### MOTION

On motion of Mr. J. King, Substitute House Bill No. 625 was ordered immediately transmitted to the Senate.

#### MOTION

On motion of Mr. J. King, the House was adjourned until 10:00 a.m., Friday, April 5, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk

## EIGHTY-SECOND DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Friday, April 5, 1985.

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Wang, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Kirsten Hastings and Dan Payne. Prayer was offered by Reverend Richard Massey, Minister of Our Saviour's Baptist Church of Federal Way.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

## MESSAGE FROM THE SENATE

April 3, 1985

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 16,  
HOUSE BILL NO. 312,  
SUBSTITUTE HOUSE BILL NO. 490,  
SUBSTITUTE HOUSE BILL NO. 850,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker called the House to order.

## REPORTS OF STANDING COMMITTEES

April 3, 1985

SB 3008 Prime Sponsor, Senator Thompson: Modifying valuation provisions for certain articles for use tax purposes. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Brekke, Bristow, Hastings, Hine, Holland, J. King, Locke, Long, Madsen, G. Nelson, Niemi, Rust, Sanders, Sayan, Silver, L. Smith, Smitherman, Sommers, Taylor and Vander Stoep.

Absent: Representatives Long and Tilly.

Passed to Committee on Rules for second reading.

April 2, 1985

ESSB 3066 Prime Sponsor, Committee on Commerce & Labor: Modifying provisions relating to gambling. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 1, chapter 139, Laws of 1981 as amended by section 1, chapter 207, Laws of 1984 and RCW 9.46.020 are each amended to read as follows:

(1) 'Amusement game' means a game played for entertainment in which:

(a) The contestant actively participates;

(b) The outcome depends in a material degree upon the skill of the contestant;

(c) Only merchandise prizes are awarded;

(d) The outcome is not in the control of the operator;

(e) The wagers are placed, the winners are determined, and a distribution of prizes or property is made in the presence of all persons placing wagers at such game; and

(f) Said game is conducted or operated by any agricultural fair, person, association, or organization in such manner and at such locations as may be authorized by rules and regulations adopted by the commission pursuant to this chapter as now or hereafter amended.

Cake walks as commonly known and fish ponds as commonly known shall be treated as amusement games for all purposes under this chapter.

The legislature hereby authorizes the wagering on the outcome of the roll of dice or the flipping of or matching of coins on the premises of an establishment engaged in the business of selling food or beverages for consumption on the premises to determine which of the participants will pay for certain items of food or beverages served or sold by such establishment and therein consumed. Such establishments are hereby authorized to possess dice and dice cups on their premises, but only for use in such limited wagering. Persons engaged in such limited form of wagering shall not be subject to the criminal or civil penalties otherwise provided for in this chapter: PROVIDED, That minors shall be barred from engaging in the wagering activities allowed by this chapter.

(2) 'Bingo' means a game conducted only in the county within which the organization is principally located in which prizes are awarded on the basis of designated numbers or symbols on a card conforming to numbers or symbols selected at random and in which no cards are sold except at the time and place of said game, when said game is conducted by a bona fide charitable or nonprofit organization which does not conduct or allow its premises to be used for conducting bingo on more than three occasions per week and which does not conduct bingo in any location which is used for conducting bingo on more than three occasions per week, or if an agricultural fair authorized under chapters 15.76 and 36.37 RCW, which does not conduct bingo on more than twelve consecutive days in any calendar year, and except in the case of any agricultural fair as authorized under chapters 15.76 and 36.37 RCW, no person other than a bona fide member or an employee of said organization takes any part in the management or operation of said game, and no person who takes any part in the management or operation of said game takes any part in the management or operation of any game conducted by any other organization or any other branch of the same organization, unless approved by the commission, and no part of the proceeds thereof inure to the benefit of any person other than the organization conducting said game. For the purposes of this subsection the organization shall be deemed to be principally located in the county within which it has its primary business office. If the organization has no business office, the organization shall be deemed to be located in the county of principal residence of its chief executive officer: PROVIDED, That any organization which is conducting any licensed and established bingo game in any locale as of January 1, 1981 shall be exempt from the requirement that such game be conducted in the county in which the organization is principally located.

(3) 'Bona fide charitable or nonprofit organization' means: (a) any organization duly existing under the provisions of chapters 24.12, 24.20, or 24.28 RCW, any agricultural fair authorized under the provisions of chapters 15.76 or 36.37 RCW, or any nonprofit corporation duly existing under the provisions of chapter 24.03 RCW for charitable, benevolent, eleemosynary, educational, civic, patriotic, political, social, fraternal, athletic or agricultural purposes only, or any nonprofit organization, whether incorporated or otherwise, when found by the commission to be organized and operating for one or more of the aforesaid purposes only, all of which in the opinion of the commission have been organized and are operated primarily for purposes other than the operation of gambling activities authorized under this chapter; or (b) any corporation which has been incorporated under Title 36 U.S.C. 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, floods, and other national calamities and to devise and carry on measures for preventing the same. ~~((Such))~~ Except for the purposes of conducting raffles only, for a political campaign committee which has filed with the public disclosure commission for a candidate who has filed for public office, an organization must have been organized and continuously operating for at least twelve calendar months immediately preceding making application for any license to operate a gambling activity, or the operation of any gambling activity authorized by this chapter for which no license is required. ~~((It))~~ Except for the purposes of conducting raffles only, for a political campaign committee which has filed with the public disclosure commission for a candidate who has filed for public office, the organization must have not less than fifteen bona fide active members each with the right to an equal vote in the election of the officers, or board members, if any, who determine the policies of the organization in order to receive a gambling license. An organization must demonstrate to the commission that it has made significant progress toward the accomplishment of the purposes of the organization during the twelve consecutive month period preceding the date of application for a license or license renewal. The fact that contributions to an organization do not qualify for charitable contribution deduction purposes or that the organization is not otherwise exempt from payment of federal income taxes pursuant to the Internal Revenue Code of 1954, as amended, shall constitute prima facie evidence that the organization is not a bona fide charitable or nonprofit organization for the purposes of this section.



Any person, association or organization which pays its employees, including members, compensation other than is reasonable therefor under the local prevailing wage scale shall be deemed paying compensation based in part or whole upon receipts relating to gambling activities authorized under this chapter and shall not be a bona fide charitable or nonprofit organization for the purposes of this chapter.

(4) 'Bookmaking' means accepting bets as a business, rather than in a casual or personal fashion, upon the outcome of future contingent events.

(5) 'Commercial stimulant'. An activity is operated as a commercial stimulant, for the purposes of this chapter, only when it is an incidental activity operated in connection with, and incidental to, an established business, with the primary purpose of increasing the volume of sales of food or drink for consumption on that business premises. A business holding a class B or H license issued by the Washington state liquor control board is deemed to be an established business primarily engaged in the sale of food and drink for consumption on the premises and any authorized gambling activity operated in connection with that business is deemed an incidental activity thereto. However, the commission may by rule establish guidelines and criteria for applying this definition to its applicants and licensees for gambling activities authorized by this chapter as commercial stimulants.

(6) 'Commission' means the Washington state gambling commission created in RCW 9.46.040.

(7) 'Contest of chance' means any contest, game, gaming scheme, or gaming device in which the outcome depends in a material degree upon an element of chance, notwithstanding that skill of the contestants may also be a factor therein.

(8) 'Fishing derby' means a fishing contest, with or without the payment or giving of an entry fee or other consideration by some or all of the contestants wherein prizes are awarded for the species, size, weight, or quality of fish caught in a bona fide fishing or recreational event.

(9) 'Gambling'. A person engages in gambling if he stakes or risks something of value upon the outcome of a contest of chance or a future contingent event not under his control or influence, upon an agreement or understanding that he or someone else will receive something of value in the event of a certain outcome. Gambling does not include fishing derbies as defined by this chapter, parimutuel betting as authorized by chapter 67.16 RCW, bona fide business transactions valid under the law of contracts, including, but not limited to, contracts for the purchase or sale at a future date of securities or commodities, and agreements to compensate for loss caused by the happening of chance, including, but not limited to, contracts of indemnity or guarantee and life, health or accident insurance. In addition, a contest of chance which is specifically excluded from the definition of lottery under subsection (14) of this section shall not constitute gambling.

(10) 'Gambling device' means: (a) Any device or mechanism the operation of which a right to money, credits, deposits or other things of value may be created, in return for a consideration, as the result of the operation of an element of chance; (b) any device or mechanism which, when operated for a consideration, does not return the same value or thing of value for the same consideration upon each operation thereof; (c) any device, mechanism, furniture, fixture, construction or installation designed primarily for use in connection with professional gambling; and (d) any subassembly or essential part designed or intended for use in connection with any such device, mechanism, furniture, fixture, construction or installation. But in the application of this definition, a pinball machine or similar mechanical amusement device which confers only an immediate and unrecorded right of replay on players thereof, which does not contain any mechanism which varies the chance of winning free games or the number of free games which may be won or a mechanism or a chute for dispensing coins or a facsimile thereof, and which prohibits multiple winnings depending upon the number of coins inserted and requires the playing of five balls individually upon the insertion of a nickel or dime, as the case may be, to complete any one operation thereof, shall not be deemed a gambling device: PROVIDED FURTHER, That owning, possessing, buying, selling, renting, leasing, financing, holding a security interest in, storing, repairing and transporting such pinball machines or similar mechanical amusement devices shall not be deemed engaging in professional gambling for the purposes of this chapter and shall not be a violation of this chapter: PROVIDED FURTHER, That any fee for the purchase or rental of any such pinball machines or similar amusement devices shall have no relation to the use to which such machines are put but be based only upon the market value of any such machine, regardless of the location of or type of premises where used, and any fee for the storing, repairing and transporting thereof shall have no relation to the use to which such machines are put, but be commensurate with the cost of labor and other expenses incurred in any such storing, repairing and transporting.

(11) 'Gambling information' means any wager made in the course of and any information intended to be used for professional gambling. In the application of this definition information as to wagers, betting odds and changes in betting odds shall be presumed to be intended for use in professional gambling: PROVIDED, HOWEVER, That this subsection shall not apply to newspapers of general circulation or commercial radio and television stations licensed by the federal communications commission.

(12) 'Gambling premises' means any building, room, enclosure, vehicle, vessel or other place used or intended to be used for professional gambling. In the application of this definition, any place where a gambling device is found, shall be presumed to be intended to be used for professional gambling.

(13) 'Gambling record' means any record, receipt, ticket, certificate, token, slip or notation given, made, used or intended to be used in connection with professional gambling.

(14) 'Lottery' means a scheme for the distribution of money or property by chance, among persons who have paid or agreed to pay a valuable consideration for the chance.

For the purpose of this chapter, the following activities do not constitute 'valuable consideration' as an element of a lottery:

(a) Listening to or watching a television or radio program or subscribing to a cable television service;

(b) Filling out and returning a coupon or entry blank or facsimile which is received through the mail or published in a bona fide newspaper or magazine, or in a program sold in conjunction with and at a regularly scheduled sporting event, or the purchase of such a newspaper, magazine or program;

(c) Sending a coupon or entry blank by United States mail to a designated address in connection with a promotion conducted in this state;

(d) Visitation to any business establishment to obtain a coupon, or entry blank;

(e) Mere registration without purchase of goods or services;

(f) Expenditure of time, thought, attention and energy in perusing promotional material;

(g) Placing or answering a telephone call in a prescribed manner or otherwise making a prescribed response or answer;

(h) Furnishing the container of any product as packaged by the manufacturer, or a particular portion thereof but only if furnishing a plain piece of paper or card with the name of the manufacturer or product handwritten on it is acceptable in lieu thereof: PROVIDED, That where any drawing is held by or on behalf of in-state retail outlets in connection with business promotions authorized under subsections (d) and (e) hereof, no such in-state retail outlet may conduct more than one such drawing during each calendar year and the period of the drawing and its promotion shall not extend for more than seven consecutive days: PROVIDED FURTHER, That if the sponsoring organization has more than one outlet in the state such drawings must be held in all such outlets at the same time except that a sponsoring organization with more than one outlet may conduct a separate drawing in connection with the initial opening of any such outlet; or

(i) The payment of an admission fee to gain admission to any agricultural fair authorized under chapters 15.76 or 36.37 RCW where (i) the scheme is conducted for promotional or advertising purposes, not including the promotion or advertisement of the scheme itself; and (ii) the person or organization conducting the scheme receives no portion of the admission fee either directly or indirectly and receives no other money for conducting the scheme either directly or indirectly, other than what might be received indirectly as a result of the success of the promotional or advertising aspect of the scheme.

For purposes of this chapter, radio and television broadcasting is hereby declared to be preempted by applicable federal statutes and the rules applicable thereto by the federal communications commission. Broadcast programming, including advertising and promotion, that complies with said federal statutes and regulations is hereby authorized.

(15) 'Member' and 'bona fide member'. As used in this chapter, member and bona fide member each mean a person accepted for membership in an organization eligible to be licensed by the commission under this chapter upon application, with such action being recorded in the official minutes of a regular meeting or who has held full and regular membership status in the organization for a period of not less than twelve consecutive months prior to participating in the management or operation of any gambling activity, except that such record and membership duration requirements do not apply to a political campaign committee that has filed with the public disclosure commission for a candidate who has filed for public office and seeks to conduct a raffle or raffles. Such membership must in no way be dependent upon, or in any way related to, the payment of consideration to participate in any gambling activity.

Member or bona fide member shall include only members of an organization's specific chapter or unit licensed by the commission or otherwise actively conducting the gambling activity: PROVIDED, That

(a) Members of chapters or local units of a state, regional or national organization may be considered members of the parent organization for the purpose of a gambling activity conducted by the parent organization, if the rules of the parent organization so permit;

(b) Members of a bona fide auxiliary to a principal organization may be considered members of the principal organization for the purpose of a gambling activity conducted by the principal organization. Members of the principal organization may also be considered members of its auxiliary for the purpose of a gambling activity conducted by the auxiliary; and

(c) Members of any chapter or local unit within the jurisdiction of the next higher level of the parent organization, and members of a bona fide auxiliary to that chapter or unit, may

assist any other chapter or local unit of that same organization licensed by the commission in the conduct of gambling activities.

No person shall be a member of any organization if that person's primary purpose for membership is to become, or continue to be, a participant in, or an operator or manager of, any gambling activity or activities.

(16) 'Player' means a natural person who engages, on equal terms with the other participants, and solely as a contestant or bettor, in any form of gambling in which no person may receive or become entitled to receive any profit therefrom other than personal gambling winnings, and without otherwise rendering any material assistance to the establishment, conduct or operation of a particular gambling activity. A natural person who gambles at a social game of chance on equal terms with the other participants therein does not otherwise render material assistance to the establishment, conduct or operation thereof by performing, without fee or remuneration, acts directed toward the arrangement or facilitation of the game, such as inviting persons to play, permitting the use of premises therefor, and supplying cards or other equipment used therein. A person who engages in 'bookmaking' as defined in this section is not a 'player'.

(17) A person is engaged in 'professional gambling' when:

(a) Acting other than as a player or in the manner set forth in RCW 9.46.030 as now or hereafter amended, he knowingly engages in conduct which materially aids any other form of gambling activity; or

(b) Acting other than as a player, or in the manner set forth in RCW 9.46.030 as now or hereafter amended, he knowingly accepts or receives money or other property pursuant to an agreement or understanding with any person whereby he participates or is to participate in the proceeds of gambling activity;

(c) He engages in bookmaking; or

(d) He conducts a lottery as defined in subsection (14) of this section.

Conduct under subparagraph (a), except as exempted under RCW 9.46.030 as now or hereafter amended, includes but is not limited to conduct directed toward the creation or establishment of the particular game, contest, scheme, device or activity involved, toward the acquisition or maintenance of premises, paraphernalia, equipment or apparatus therefor, toward the solicitation or inducement of persons to participate therein, toward the actual conduct of the playing phases thereof, toward the arrangement of any of its financial or recording phases, or toward any other phase of its operation. If a person having substantial proprietary or other authoritative control over any premises shall permit said premises to be used with the person's knowledge for the purpose of conducting gambling activity other than gambling activities as set forth in RCW 9.46.030 as now or hereafter amended, and acting other than as a player, and said person permits such to occur or continue or makes no effort to prevent its occurrence or continuation, he shall be considered as being engaged in professional gambling: PROVIDED, That the proprietor of a bowling establishment who awards prizes obtained from player contributions, to players successfully knocking down pins upon the contingency of identifiable pins being placed in a specified position or combination of positions, as designated by the posted rules of the bowling establishment, where the proprietor does not participate in the proceeds of the 'prize fund' shall not be construed to be engaging in 'professional gambling' within the meaning of this chapter: PROVIDED, FURTHER, That the books and records of the games shall be open to public inspection.

(18) 'Punch boards' and 'pull-tabs' shall be given their usual and ordinary meaning as of July 16, 1973, except that such definition may be revised by the commission pursuant to rules and regulations promulgated pursuant to this chapter.

(19) 'Raffle' means a game in which tickets bearing an individual number are sold for not more than one dollar each and in which a prize or prizes are awarded on the basis of a drawing from said tickets by the person or persons conducting the game, when said game is conducted by a bona fide charitable or nonprofit organization, no person other than a bona fide member of said organization takes any part in the management or operation of said game, and no part of the proceeds thereof inure to the benefit of any person other than the organization conducting said game.

(20) 'Social card game' means a card game, including but not limited to the game commonly known as 'Mah Jongg', which constitutes gambling and contains each of the following characteristics:

(a) There are two or more participants and each of them are players. However, no business with a public cardroom on its premises may have more than five separate tables at which card games are played; and

(b) A player's success at winning money or other thing of value by overcoming chance is in the long run largely determined by the skill of the player; and

(c) No organization, corporation or person collects or obtains or charges any percentage of or collects or obtains any portion of the money or thing of value wagered or won by any of the players: PROVIDED, That this item (c) shall not preclude a player from collecting or obtaining his winnings; and

(d) No organization or corporation, or person collects or obtains any money or thing of value from, or charges or imposes any fee upon, any person which either enables him to play or results in or from his playing in excess of ~~((one dollar))~~ two dollars per half hour of playing time by that person collected in advance: PROVIDED, That a fee may also be charged for entry into a tournament for prizes, which fee shall not exceed ~~((twenty-five))~~ fifty dollars, including all separate fees which might be paid by a player for various phases or events of the tournament: PROVIDED FURTHER, That this item (d) shall not apply to the membership fee in any bona fide charitable or nonprofit organization; and

(e) The type of card game is one specifically approved by the commission pursuant to RCW 9.46.070; and

(f) The extent of wagers, money or other thing of value which may be wagered or contributed by any player does not exceed the amount or value specified by the commission pursuant to RCW 9.46.070.

(21) 'Thing of value' means any money or property, any token, object or article exchangeable for money or property, or any form of credit or promise, directly or indirectly, contemplating transfer of money or property or of any interest therein, or involving extension of a service, entertainment or a privilege of playing at a game or scheme without charge.

(22) 'Whoever' and 'person' include natural persons, corporations and partnerships and associations of persons; and when any corporate officer, director or stockholder or any partner authorizes, participates in, or knowingly accepts benefits from any violation of this chapter committed by his corporation or partnership, he shall be punishable for such violation as if it had been directly committed by him.

(23) 'Fund raising event' means a fund raising event conducted during any seventy-two consecutive hours but exceeding twenty-four consecutive hours and not more than once in any calendar year or a fund raising event conducted not more than twice each calendar year for not more than twenty-four consecutive hours each time by a bona fide charitable or nonprofit organization as defined in subsection (3) of this section other than any agricultural fair referred to thereunder, upon authorization therefor by the commission, which the legislature hereby authorizes to issue a license therefor, with or without fee, permitting the following activities, or any of them, during such event: Bingo, amusement games, contests of chance, lotteries and raffles: PROVIDED, That (a) gross wagers and bets received by the organization less the amount of money paid by the organization as winnings and for the purchase cost of prizes given as winnings do not exceed ten thousand dollars during the total calendar days of such fund raising event in the calendar year; (b) such activities shall not include any mechanical gambling or lottery device activated by the insertion of a coin or by the insertion of any object purchased by any person taking a chance by gambling in respect to the device; (c) only bona fide members of the organization who are not paid for such service shall participate in the management or operation of the activities, and all income therefrom, after deducting the cost of prizes and other expenses, shall be devoted solely to the lawful purposes of the organization; and (d) such organization shall notify the appropriate local law enforcement agency of the time and place where such activities shall be conducted. The commission shall require an annual information report setting forth in detail the expenses incurred and the revenue received relative to the activities permitted.

Bona fide charitable or nonprofit organizations holding a license to conduct a fund raising event may joint (join) together to jointly conduct a fund raising event if:

(i) Approval to do so is received from the commission; and

(ii) The method of dividing the income and expenditures and the method of recording and handling of funds are disclosed to the commission in the application for approval of the joint fund raising event and are approved by the commission.

The gross wagers and bets received by the organizations less the amount of money paid by the organizations as winnings and for the purchase costs of prizes given as winnings may not exceed ten thousand dollars during the total calendar days of such event. The net receipts each organization receives shall count against the organization's annual limit stated in this subsection.

A joint fund raising event shall count against only the lead organization or organizations receiving fifty percent or more of the net receipts for the purposes of the number of such events an organization may conduct each year.

The commission may issue a joint license for a joint fund raising event and charge a license fee for such license according to a schedule of fees adopted by the commission which reflects the added cost to the commission of licensing more than one licensee for the event.

Sec. 2. Section 11, chapter 218, Laws of 1973 1st ex. sess. as last amended by section 8, chapter 139, Laws of 1981 and RCW 9.46.110 are each amended to read as follows:

The legislative authority of any county, city-county, city, or town, by local law and ordinance, and in accordance with the provisions of this chapter and rules and regulations promulgated hereunder, may provide for the taxing of any gambling activity authorized in RCW 9.46.030 as now or hereafter amended within its jurisdiction, the tax receipts to go to the county, city-county, city, or town so taxing the same: PROVIDED, That any such tax imposed by a county alone shall not apply to any gambling activity within a city or town located therein but

the tax rate established by a county, if any, shall constitute the tax rate throughout such county including both incorporated and unincorporated areas, except for any city located therein with a population of twenty thousand or more persons as of the most recent decennial census taken by the federal government: PROVIDED FURTHER, That (1) punch boards and pull-tabs, chances on which shall only be sold to adults, which shall have a ~~((twenty-five))~~ fifty cent limit on a single chance thereon, shall be taxed on a basis which shall reflect only the gross receipts from such punch boards and pull-tabs; and (2) no punch board or pull-tab may award as a prize upon a winning number or symbol being drawn the opportunity of taking a chance upon any other punch board or pull-tab; and (3) all prizes for punch boards and pull-tabs must be on display within the immediate area of the premises wherein any such punch board or pull-tab is located and upon a winning number or symbol being drawn, such prize must be immediately removed therefrom, or such omission shall be deemed a fraud for the purposes of this chapter; and (4) when any person shall win over twenty dollars in money or merchandise from any punch board or pull-tab, every licensee hereunder shall keep a public record thereof for at least ninety days thereafter containing such information as the commission shall deem necessary: AND PROVIDED FURTHER, That taxation of bingo and raffles shall never be in an amount greater than ten percent of the gross revenue received therefrom less the amount paid for or as prizes. Taxation of amusement games shall only be in an amount sufficient to pay the actual costs of enforcement of the provisions of this chapter by the county, city or town law enforcement agency and in no event shall such taxation exceed two percent of the gross revenue therefrom less the amount paid for as prizes: PROVIDED FURTHER, That no tax shall be imposed under the authority of this chapter on bingo, raffles or amusement games when such activities or any combination thereof are conducted by any bona fide charitable or nonprofit organization as defined in RCW 9.46.020(3), which organization has no paid operating or management personnel and has gross income from bingo, raffles or amusement games, or any combination thereof, not exceeding five thousand dollars per year less the amount paid for as prizes. Taxation of punch boards and pull-tabs shall not exceed five percent of gross receipts, nor shall taxation of social card games exceed twenty percent of the gross revenue from such games."

On page 1, line 1 of the title, after "gambling;" strike the remainder of the title and insert "and amending RCW 9.46.020 and 9.46.110."

Signed by Representatives Wang, Chair; Cole, Vice Chair; Betrozoff, Chandler, Ebersole, Fisch, Fisher, R. King, O'Brien, Sayan, C. Smith and J. Williams.

MINORITY recommendation: Do not pass. Signed by Representatives Patrick and Walker.

Passed to Committee on Rules for second reading.

April 4, 1985

ESB 3067 Prime Sponsor, Senator Hansen: Modifying provisions relating to aquatic farming. Reported by Committee on Agriculture

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

\*NEW SECTION, Sec. 1. The legislature declares that aquatic farming provides a consistent source of quality food, offers opportunities of new jobs, increased farm income stability, and improves balance of trade.

The legislature finds that many areas of the state of Washington are scientifically and biologically suitable for aquaculture development, and therefore the legislature encourages promotion of aquacultural activities, programs, and development with the same status as other agricultural activities, programs, and development within the state.

The legislature finds that aquaculture should be considered a branch of the agricultural industry of the state for purposes of any laws that apply to or provide for the advancement, benefit, or protection of the agriculture industry within the state.

The legislature further finds that in order to ensure the maximum yield and quality of cultured aquatic products, the department of fisheries should provide diagnostic services that are workable and proven remedies to aquaculture disease problems.

It is therefore the policy of this state to encourage the development and expansion of aquaculture within the state. It is also the policy of this state to protect wildstock fisheries by providing an effective disease inspection and control program and prohibiting the release of salmon or steelhead trout by the private sector into the public waters of the state and the subsequent recapture of such species as in the practice commonly known as ocean ranching.

NEW SECTION, Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Aquaculture' means the process of growing, farming, or cultivating private sector cultured aquatic products in marine or freshwaters and includes management by an aquatic farmer.

(2) 'Aquatic farmer' is a private sector person who commercially farms and manages the cultivating of private sector cultured aquatic products on the person's own land or on land in which the person has a present right of possession.

(3) 'Private sector cultured aquatic products' are native, nonnative, or hybrids of marine or freshwater plants and animals that are propagated, farmed, or cultivated on aquatic farms under the supervision and management of a private sector aquatic farmer or that are naturally set on aquatic farms which at the time of setting are under the active supervision and management of a private sector aquatic farmer. When produced under such supervision and management, private sector cultured aquatic products include, but are not limited to, the following plants and animals:

SCIENTIFIC NAME	COMMON NAME
Enteromorpha	green nori
Monostroma	awo-nori
Ulva	sea lettuce
Laminaria	konbu
Nereocystis	bull kelp
Porphyra	nori
Iridaea	
Haliotis	abalone
Zhlamys	pink scallop
Hinnites	rock scallop
Tatinopecten	Japanese or weathervane scallop
Protothaca	native littleneck clam
Tapes	manila clam
Saxidomus	butter clam
Mytilus	mussels
Crassostrea	Pacific oysters
Ostrea	Olympia and European oysters
Pacifasticus	crayfish
Macrobrachium	freshwater prawn
Salmo and Salvelinus	trout, char, and Atlantic salmon
Oncorhynchus	salmon
Ictalurus	catfish
Cyprinus	carp
Acipenseridae	sturgeon

(4) 'Department' means the department of agriculture.

(5) 'Director' means the director of agriculture.

**NEW SECTION, Sec. 3.** The department is the principal state agency for providing state marketing support services for the private sector aquaculture industry.

**NEW SECTION, Sec. 4.** The department shall exercise its authorities, including those provided by chapters 15.64, 15.65, 15.66, and 43.23 RCW, to develop a program for assisting the state's aquaculture industry to market and promote the use of its products. The department shall consult with the advisory council in developing such a program.

**NEW SECTION, Sec. 5.** The director shall establish identification requirements for private sector cultured aquatic products to the extent that identifying the source and quantity of the products is necessary to permit the departments of fisheries and game to administer and enforce Titles 75 and 77 RCW effectively. The rules shall apply only to those private sector cultured aquatic products the transportation, sale, processing, or other possession of which would otherwise be required to be licensed under Title 75 or 77 RCW if they were not cultivated by aquatic farmers. The rules shall apply to the transportation or possession of such products on land other than aquatic lands and may require that they be: (1) Placed in labeled containers or accompanied by bills of lading or sale or similar documents identifying the name and address of the producer of the products and the quantity of the products governed by the documents; or (2) both labeled and accompanied by such documents.

The director shall consult with the directors of the departments of fisheries and game to ensure that such rules enable the departments of fisheries and game to enforce the programs administered under those titles. If rules adopted under chapter 69.30 RCW satisfy the identification required under this section for shellfish, the director shall not establish different shellfish identification requirements under this section.

**NEW SECTION, Sec. 6.** (1) There is hereby created the aquaculture advisory council. The council shall consist of the following voting members appointed by the governor: One representative of private sector freshwater fin fish farmers; one representative of private sector marine fin fish farmers who does not practice ocean ranching; one representative of private sector marine shellfish farmers; one representative of marine plant farmers; one representative of farmers of oysters native to the state; and one representative of a state-wide sports fishing association or group. Each member shall serve a term of three years. The following shall serve as voting, ex officio members of the advisory council: A representative of the department of

agriculture; a representative of the department of game; a representative of the department of fisheries; and the veterinary pathologist referred to in section 8(5) of this act. A representative of the department of natural resources shall serve as a nonvoting member of the advisory council.

(2) The council shall advise the departments of agriculture, fisheries, and game on all aspects of aquatic farming including the performance, operation, expansion, development, promotion, and interdepartmental coordination.

(3) Any vacancies on the council shall be filled in the same manner as the original appointment.

(4) The council shall select a chairman by vote of the council members. A quorum consisting of at least six voting members must be present to conduct council business. The council shall meet at the call of the chairman or at the request of the director.

(5) The council shall expire June 30, 1991.

NEW SECTION. Sec. 7. The department shall adopt rules under chapter 34.04 RCW to implement this chapter.

NEW SECTION. Sec. 8. (1) The director of agriculture and the director of fisheries shall jointly develop, in consultation with the aquaculture advisory council, a program of disease inspection and control for aquatic farmers as defined in section 2 of this act. The program shall be administered by the department of fisheries under rules established under this section. The purpose of the program is to protect the aquaculture industry and wildstock fisheries from a loss of productivity due to aquatic diseases or maladies. As used in this section 'diseases' means, in addition to its ordinary meaning, infestations of parasites or pests. The disease program may include, but is not limited to, the following elements:

- (a) Disease diagnosis;
- (b) Import and transfer requirements;
- (c) Provision for certification of stocks;
- (d) Classification of diseases by severity;
- (e) Provision for treatment of selected high-risk diseases;
- (f) Provision for containment and eradication of high-risk diseases;
- (g) Provision for destruction of diseased cultured aquatic products;
- (h) Provision for quarantine of diseased cultured aquatic products;
- (i) Provision for coordination with state and federal agencies;
- (j) Provision for development of preventative or control measures;
- (k) Provision for cooperative consultation service to aquatic farmers; and
- (l) Provision for disease history records.

(2) The director of fisheries shall adopt rules implementing this section. However, such rules shall have the prior approval of the director of agriculture and shall provide therein that the director of agriculture has provided such approval. The director of agriculture or the director's designee shall attend the rule-making hearings conducted under chapter 34.04 RCW and shall assist in conducting those hearings. The authorities granted the department of fisheries by these rules and by RCW 75.08.080(1)(g), 75.24.080, 75.24.110, 75.28.125, and sections 9, 10, and 11 of this act constitute the only authorities of the department of fisheries to regulate private sector cultured aquatic products and aquatic farmers as defined in section 2 of this act. Except as provided in subsection (3) of this section, no action may be taken against any person to enforce these rules unless the department has first provided the person an opportunity for a hearing. In such a case, if the hearing is requested, no enforcement action may be taken before the conclusion of that hearing.

(3) The rules adopted under this section shall specify the emergency enforcement actions that may be taken by the department of fisheries, and the circumstances under which they may be taken, without first providing the affected party with an opportunity for a hearing. Neither the provisions of this subsection nor the provisions of subsection (2) of this section shall preclude the department of fisheries from requesting the initiation of criminal proceedings for violations of the disease inspection and control rules.

(4) It is unlawful for any person to violate the rules adopted under subsection (2) or (3) of this section or to violate section 11 of this act.

(5) In administering the program established under this section, the department of fisheries shall use the services of a pathologist licensed to practice veterinary medicine.

(6) The director in administering the program shall not place constraints on or take enforcement actions in respect to the aquaculture industry that are more rigorous than those placed on the department of fisheries, the department of game, or other fish-rearing entities.

(7) Whenever a civil action for damages is brought by an aquatic farmer as defined in section 2 of this act against the department of fisheries as a result of the department's ordering and obtaining the destruction of the farmer's private sector cultured aquatic product as defined in section 2 of this act, the court may award the farmer damages not exceeding three times the actual damages sustained if the court determines that the department was unreasonable in concluding that the risks presented by the disease or infestation warranted the destruction of the product.

NEW SECTION. Sec. 9. The directors of agriculture and fisheries shall jointly adopt by rule, in the manner prescribed in section 8(2) of this act, a schedule of user fees for the disease inspection and control program established under section 8 of this act. The fees shall be established such that the program shall be entirely funded by revenues derived from the user fees by the beginning of the 1987-89 biennium.

There is established in the state treasury an account known as the aquaculture disease control account which is subject to appropriation. Proceeds of fees charged under this section shall be deposited in the account. Moneys from the account shall be used solely for administering the disease inspection and control program established under section 8 of this act.

NEW SECTION. Sec. 10. (1) The director of fisheries shall consult regarding the disease inspection and control program established under section 8 of this act with the department of game, federal agencies, and Indian tribes to assure protection of state, federal, and tribal aquatic resources and to protect private sector cultured aquatic products from disease that could originate from waters or facilities managed by those agencies.

(2) With regard to the program, the director of fisheries may enter into contracts or interagency agreements for diagnostic field services with government agencies and institutions of higher education and private industry.

(3) The director of fisheries shall provide for the creation and distribution of a roster of biologists having a speciality in the diagnosis or treatment of diseases of fish or shellfish. The director shall adopt rules specifying the qualifications which a person must have in order to be placed on the roster.

NEW SECTION. Sec. 11. All aquatic farmers as defined in section 2 of this act shall register with the department of fisheries. The director shall develop and maintain a registration list of all aquaculture farms. Registered aquaculture farms shall provide the department production statistical data. The state veterinarian and the department of game shall be provided with registration and statistical data by the department.

NEW SECTION. Sec. 12. A new section is added to chapter 75.08 RCW to read as follows:

(1) It is unlawful for any person other than the United States, an Indian tribe recognized as such by the federal government, the state, a subdivision of the state, or a municipal corporation or an agency of such a unit of government to release salmon or steelhead trout into the public waters of the state and subsequently to recapture and commercially harvest such salmon or trout. This section shall not prevent any person from rearing salmon or steelhead trout in pens or in a confined area under circumstances where the salmon or steelhead trout are confined and never permitted to swim freely in open water.

(2) A violation of this section constitutes a gross misdemeanor.

Sec. 13. Section 2, chapter 256, Laws of 1961 as amended by section 2, chapter 7, Laws of 1975 1st ex. sess. and RCW 15.65.020 are each amended to read as follows:

The following terms are hereby defined:

(1) 'Director' means the director of agriculture of the state of Washington or his duly appointed representative. The phrase 'director or his designee' means the director unless, in the provisions of any marketing agreement or order, he has designated an administrator, board or other designee to act for him in the matter designated, in which case 'director or his designee' means for such order or agreement the administrator, board or other person(s) so designated and not the director.

(2) 'Department' means the department of agriculture of the state of Washington.

(3) 'Marketing order' means an order issued by the director pursuant to this chapter.

(4) 'Marketing agreement' means an agreement entered into and issued by the director pursuant to this chapter.

(5) 'Agricultural commodity' means any distinctive type of agricultural, horticultural, viticultural, floricultural, vegetable or animal product, including private sector cultured aquatic products as defined in section 2 of this 1985 act, either in its natural or processed state, including bees and honey but not including timber or timber products. The director is hereby authorized to determine (on the basis of common usage and practice) what kinds, types or subtypes should be classed together as an agricultural commodity for the purposes of this chapter.

(6) 'Production area' and 'marketing area' means any area defined as such in any marketing order or agreement in accordance with RCW 15.65.350. 'Affected area' means the marketing or production area so defined in such order, agreement or proposal.

(7) 'Unit' of an agricultural commodity means a unit of volume, weight, quantity, or other measure in which such commodity is commonly measured. The director shall designate in each marketing order and agreement the unit to be used therein.

(8) 'Affected unit' means in the case of marketing agreements and orders drawn on the basis of a production area, any unit of the commodity specified in or covered by such agreement or order which is produced in such area and sold or marketed or delivered for sale or marketing; and 'affected unit' means, in the case of marketing agreements and orders drawn on the basis of marketing area, any unit of the commodity specified in or covered by such agreement or order which is sold or marketed or delivered for sale or marketing within such marketing area: PROVIDED, That in the case of marketing agreements 'affected unit' shall



include only those units which are produced by producers or handled by handlers who have assented to such agreement.

(9) 'Affected commodity' means that part or portion of any agricultural commodity which is covered by or forms the subject matter of any marketing agreement or order or proposal, and includes all affected units thereof as herein defined and no others.

(10) 'Producer' means any person engaged in the business of producing any agricultural commodity for market in commercial quantities. 'Affected producer' means any producer of an affected commodity. 'To produce' means to act as a producer. For the purposes of RCW 15.65.140 and 15.65.160 as now or hereafter amended 'producer' shall include bailees who contract to produce or grow any agricultural product on behalf of a bailor who retains title to the seed and its resulting agricultural product or the agricultural product delivered for further production or increase.

(11) 'Handler' means any person who acts, either as principal, agent or otherwise, in processing, selling, marketing or distributing an agricultural commodity which was not produced by him. 'Affected handler' means any handler of an affected commodity. 'To handle' means to act as a handler.

(12) 'Producer-handler' means any person who acts both as a producer and as a handler with respect to any agricultural commodity. A producer-handler shall be deemed to be a producer with respect to the agricultural commodities which he produces, and a handler with respect to the agricultural commodities which he handles, including those produced by himself.

(13) 'Cooperative association' means any incorporated or unincorporated association of producers which conforms to the qualifications set out in the act of congress of the United States of February 18, 1922 as amended, known as the 'Capper-Volstead Act' and which is engaged in making collective sales or in marketing any agricultural commodity or product thereof or in rendering service for or advancing the interests of the producers of such commodity on a non-profit cooperative basis.

(14) 'Member of a cooperative association' means any producer who markets his product through such cooperative association and who is a voting stockholder of or has a vote in the control of or is a party to a marketing agreement with such cooperative association with respect to such product.

(15) 'Producer marketing' or 'marketed by producers' means any or all operations performed by any producer or cooperative association of producers in preparing for market and marketing, and shall include: (a) selling any agricultural commodity produced by such producer(s) to any handler; (b) delivering any such commodity or otherwise disposing of it for commercial purposes to or through any handler.

(16) 'Commercial quantities' as applied to producers and/or production means such quantities per year (or other period of time) of an agricultural commodity as the director finds are not less than the minimum which a prudent man engaged in agricultural production would produce for the purpose of making such quantity of such commodity a substantial contribution to the economic operation of the farm on which such commodity is produced. 'Commercial quantities' as applied to handlers and/or handling means such quantities per year (or other period of time) of an agricultural commodity or product thereof as the director finds are not less than the minimum which a prudent man engaged in such handling would handle for the purpose of making such quantity a substantial contribution to the handling operation in which such commodity or product thereof is so handled. In either case the director may in his discretion: (a) determine that substantial quantity is any amount above zero; and (b) apply the quantity so determined on a uniform rule applicable alike to all persons which he finds to be similarly situated.

(17) 'Commodity board' means any board established pursuant to RCW 15.65.220. 'Board' means any such commodity board unless a different board is expressly specified.

(18) 'Sell' includes offer for sale, expose for sale, have in possession for sale, exchange, barter or trade.

(19) 'Section' means a section of this chapter unless some other statute is specifically mentioned. The present includes the past and future tenses, and the past or future the present. The masculine gender includes the feminine and neuter. The singular number includes the plural and the plural includes the singular.

(20) 'Represented in a referendum' means that a written document evidencing approval or assent or disapproval or dissent is duly and timely filed with or mailed to the director by or on behalf of an affected producer and/or a volume of production of an affected commodity in a form which the director finds meets the requirements of this chapter.

(21) 'Person' as used in this chapter shall mean any person, firm, association or corporation.

Sec. 14. Section 15.66.010, chapter 11, Laws of 1961 as last amended by section 6, chapter 288, Laws of 1983 and RCW 15.66.010 are each amended to read as follows:

For the purposes of this chapter:

(1) 'Director' means the director of agriculture of the state of Washington or any qualified person or persons designated by the director of agriculture to act for him concerning some matter under this chapter.

(2) 'Department' means the department of agriculture of the state of Washington.

(3) 'Marketing order' means an order issued by the director pursuant to this chapter.

(4) 'Agricultural commodity' means any distinctive type of agricultural, horticultural, viticultural, vegetable, and/or animal product, including private sector cultured aquatic products as defined in section 2 of this 1985 act, within its natural or processed state, including bees and honey but not including timber or timber products. The director is authorized to determine what kinds, types or subtypes should be classed together as an agricultural commodity for the purposes of this chapter.

(5) 'Producer' means any person engaged in the business of producing or causing to be produced for market in commercial quantities any agricultural commodity. For the purposes of RCW 15.66.060, 15.66.090, and 15.66.120, as now or hereafter amended 'producer' shall include bailees who contract to produce or grow any agricultural product on behalf of a bailor who retains title to the seed and its resulting agricultural product or the agricultural product delivered for further production or increase.

(6) 'Affected producer' means any producer of an affected commodity.

(7) 'Affected commodity' means any agricultural commodity for which the director has established a list of producers pursuant to RCW 15.66.060.

(8) 'Commodity commission' or 'commission' means a commission formed to carry out the purposes of this chapter under a particular marketing order concerning an affected commodity.

(9) 'Unit' means a unit of volume, quantity or other measure in which an agricultural commodity is commonly measured.

(10) 'Unfair trade practice' means any practice which is unlawful or prohibited under the laws of the state of Washington including but not limited to Titles 15, 16 and 69 RCW and chapters 9.16, 19.77, 19.80, 19.84, and 19.83 RCW, or any practice, whether concerning interstate or intrastate commerce that is unlawful under the provisions of the act of Congress of the United States, September 26, 1914, chapter 311, section 5, 38 U.S. Statutes at Large 719 as amended, known as the 'Federal Trade Commission Act of 1914', or the violation of or failure accurately to label as to grades and standards in accordance with any lawfully established grades or standards or labels.

(11) 'Person' includes any individual, firm, corporation, trust, association, partnership, society, or any other organization of individuals.

(12) 'Cooperative association' means any incorporated or unincorporated association of producers which conforms to the qualifications set out in the act of Congress of the United States, Feb. 18, 1922, chapter 57, sections 1 and 2, 42 U.S. Statutes at Large 388 as amended, known as the 'Capper-Volstead Act' and which is engaged in making collective sales or in marketing any agricultural commodity or product thereof or in rendering service for or advancing the interests of the producers of such commodity on a nonprofit cooperative basis.

(13) 'Member of a cooperative association' or 'member' means any producer of an agricultural commodity who markets his product through such cooperative association and who is a voting stockholder of or has a vote in the control of or is under a marketing agreement with such cooperative association with respect to such product.

Sec. 15. Section 43.23.030, chapter 8, Laws of 1965 as last amended by section 5, chapter 248, Laws of 1983 and RCW 43.23.030 are each amended to read as follows:

The director of agriculture shall exercise all the powers and perform all the duties relating to the development of markets, for agricultural products, state and federal cooperative marketing programs, land utilization for agricultural purposes, water resources, transportation, and farm labor as such matters relate to the production, distribution and sale of agricultural commodities including private sector cultured aquatic products as defined in section 2 of this 1985 act.

Sec. 16. Section 46.16.090, chapter 12, Laws of 1961 as last amended by section 45, chapter 136, Laws of 1979 ex. sess. and RCW 46.16.090 are each amended to read as follows:

Motor trucks or trailers may be specially licensed based on the maximum gross weight thereof for fifty percent of the various amounts set forth in the schedule provided in RCW 46.16-.070, when such trucks or trailers are owned and operated by farmers, but only if the following condition or conditions exist:

(1) When such trucks or trailers are to be used for the transportation of such farmer's own farm, orchard, or dairy products, or such farmer's own private sector cultured aquatic products as defined in section 2 of this 1985 act, from point of production to market or warehouse, and of supplies to be used on ~~(his)~~ the farmer's farm: PROVIDED, That fish other than those that are such private sector cultured aquatic products and forestry products shall not be considered as farm products; and/or

(2) When such trucks or trailers are to be used for the infrequent or seasonal transportation by one such farmer for another farmer in ~~(his)~~ the farmer's neighborhood of products of the

farm, orchard, ~~((or))~~ dairy, or aquatic farm owned by such other farmer from point of production to market or warehouse, or supplies to be used on such other farm, but only if such transportation for another farmer is for compensation other than money: PROVIDED, HOWEVER, That farmers shall be permitted an allowance of an additional eight thousand pounds, within the legal limits, on molor trucks or trailers, when used in the transportation of such farmer's own farm machinery between ~~((his))~~ the farmer's own farm or farms and for a distance of not more than thirty-five miles from ~~((his))~~ the farmer's farm or farms.

The department shall prepare a special form of application to be used by farmers applying for licenses under this section, which form shall contain a statement to the effect that the vehicle or trailer concerned will be used subject to the limitations of this section. The department shall prepare special insignia which shall be placed upon all such vehicles or trailers to indicate that the vehicle or trailer is specially licensed, or may, in its discretion, substitute a special license plate for such vehicles or trailers for such designation.

Operation of such a specially licensed vehicle or trailer in transportation upon public highways in violation of the limitations of this section is a traffic infraction.

Sec. 17. Section 75.08.080, chapter 12, Laws of 1955 as last amended by section 15, chapter 46, Laws of 1983 1st ex. sess. and RCW 75.08.080 are each amended to read as follows:

(1) The director may adopt, amend, or repeal rules as follows:

(a) Specifying the times when the taking of food fish or shellfish is lawful or unlawful.

(b) Specifying the areas and waters in which the taking and possession of food fish or shellfish is lawful or unlawful.

(c) Specifying and defining the gear, appliances, or other equipment and methods that may be used to take food fish or shellfish, and specifying the times, places, and manner in which the equipment may be used or possessed.

(d) Regulating the possession, disposal, landing, and sale of food fish or shellfish within the state, whether acquired within or without the state.

(e) Regulating the prevention and suppression of diseases and pests affecting food fish or shellfish.

(f) Regulating the size, sex, species, and quantities of food fish or shellfish that may be taken, possessed, sold, or disposed of.

(g) Specifying the statistical and biological reports required from fishermen, dealers, boat-houses, or processors of food fish or shellfish.

(h) Classifying species of marine and freshwater life as food fish or shellfish.

(i) Classifying the species of food fish and shellfish that may be used for purposes other than human consumption.

(j) Other rules necessary to carry out this title and the purposes and duties of the department.

(2) Subsections (1)(a), (b), (c), (d), and (f) of this section do not apply to(~~(~~

~~(a) licensed oyster farms or oysters produced thereon; or~~

~~(b))~~ private tideland owners and lessees of state tidelands, when they take or possess oysters, clams, cockles, borers, or mussels, excluding razor clams, produced on their own private tidelands or their leased state tidelands for personal use.

(3) Except for subsection (1)(g) of this section, this section does not apply to private sector cultured aquatic products as defined in section 2 of this 1985 act. Subsection (1)(g) of this section does apply to such products.

Sec. 18. Section 75.28.010, chapter 12, Laws of 1955 as last amended by section 101, chapter 46, Laws of 1983 1st ex. sess. and RCW 75.28.010 are each amended to read as follows:

(1) Except as otherwise provided by this title, a license or permit issued by the director is required to:

(a) Commercially fish for or take food fish or shellfish;

(b) Deliver food fish or shellfish taken in offshore waters;

(c) Operate a charter boat; or

~~(e))~~ ~~((Operate a commercial food fish or shellfish farm; or~~

~~(e))~~ Engage in processing or wholesaling food fish or shellfish.

(2) It is unlawful to engage in the activities described in subsection (1) of this section without having in possession the licenses or permits required by this title.

(3) No license or permit is required for the production or harvesting of private sector cultured aquatic products as defined in section 2 of this 1985 act or for the delivery, processing, or wholesaling of such aquatic products. However, if a means of identifying such products is required by rules adopted under section 5 of this 1985 act, the exemption from licensing or permit requirements established by this subsection applies only if the aquatic products are identified in conformance with those rules.

Sec. 19. Section 75.28.280, chapter 12, Laws of 1955 as last amended by section 125, chapter 46, Laws of 1983 1st ex. sess. and RCW 75.28.280 are each amended to read as follows:

~~((†) A clam farm license is required for the licensee to operate a commercial clam farm of one or more tracts of lands on tidelands or beds of navigable waters. The annual license fee is fifteen dollars for residents and nonresidents.~~

~~A clam farm license is not required for subtidal geoduck tracts for which licenses have been obtained under RCW 75.28.207.~~

~~(2) An oyster farm license is required for the licensee to operate a commercial oyster farm on tidelands or beds of navigable waters. The annual license fee is fifteen dollars for residents and nonresidents.~~

~~(3) Separate clam farm and oyster farm licenses are required for each of the following districts as defined by rule of the director: Northern Puget Sound district, southern Puget Sound district, Grays Harbor district, and Willapa Harbor district.~~

~~(4) A mechanical harvester license is required to operate a mechanical or hydraulic device for commercially harvesting clams, other than geoduck clams, on a clam farm unless the requirements of RCW 75.20.100 are fulfilled for the proposed activity. The annual license fee is three hundred dollars for residents and nonresidents.~~

Sec. 20. Section 75.28.300, chapter 12, Laws of 1955 as last amended by section 132, chapter 46, Laws of 1983 1st ex. sess. and RCW 75.28.300 are each amended to read as follows:

A wholesale fish dealer's license is required for:

(1) A business in the state to engage in the commercial processing of food fish or shellfish, including custom canning or processing of personal use food fish or shellfish.

(2) A business in the state to engage in the wholesale selling, buying, or brokering of food fish or shellfish. A wholesale fish dealer's license is not required of those businesses which buy exclusively from Washington licensed wholesale dealers and sell solely at retail.

(3) Fishermen ~~((or aquaculturists))~~ who land and sell their catch or harvest in the state to anyone other than a licensed wholesale dealer within or outside the state.

(4) A business to engage in the commercial manufacture or preparation of fertilizer, oil, meal, caviar, fish bait, or other byproducts from food fish or shellfish.

The annual license fee is thirty-seven dollars and fifty cents. A wholesale fish dealer's license is not required for persons ~~((buying or selling oyster seed for transplant))~~ engaged in the processing, wholesale selling, buying, or brokering of private sector cultured aquatic products as defined in section 2 of this 1985 act. However, if a means of identifying such products is required by rules adopted under section 5 of this 1985 act, the exemption from licensing requirements established by this subsection applies only if the aquatic products are identified in conformance with those rules.

Sec. 21. Section 77.08.020, chapter 36, Laws of 1955 as last amended by section 10, chapter 78, Laws of 1980 and RCW 77.08.020 are each amended to read as follows:

(1) As used in this title or rules of the commission, 'game fish' means those species of the class Osteichthyes that shall not be fished for except as authorized by rule of the commission and includes:

SCIENTIFIC NAME

COMMON NAME

Ambloplites rupestris	rock bass
Coregonus clupeaformis	lake white fish
Ictalurus furcatus	blue catfish
Ictalurus melas	black bullhead
Ictalurus natalis	yellow bullhead
Ictalurus nebulosus	brown bullhead
Ictalurus punctatus	channel catfish
Lepomis cyanellus	green sunfish
Lepomis gibbosus	pumpkinseed
Lepomis gulosus	warmouth
Lepomis macrochirus	bluegill
Lota lota	burbot or fresh water ling
Micropterus dolomieu	smallmouth bass
Micropterus salmoides	largemouth bass
Oncorhynchus nerka (in its landlocked form)	kokanee or silver trout
Perca flavescens	yellow perch
Pomixis annularis	white crappie
Pomixis nigromaculatus	black crappie
Prosopium williamsoni	mountain white fish
Salmo aquabonita	golden trout
Salmo clarkii	cutthroat trout
Salmo gairdnerii	rainbow or steelhead trout
Salmo salar	Atlantic salmon
Salmo trutta	brown trout
Salvelinus fontinalis	eastern brook trout
Salvelinus malma	Dolly Varden trout
Salvelinus namaycush	lake trout
Stizostedion vitreum	Walleye
Thymallus arcticus	arctic grayling

(2) Private sector cultured aquatic products as defined in section 2 of this 1985 act are not game fish.

Sec. 22. Section 77.28.020, chapter 36, Laws of 1955 as last amended by section 98, chapter 78, Laws of 1980 and RCW 77.12.570 are each amended to read as follows:

The commission shall adopt rules specifying the procedures, qualifications, and conditions for issuing a game farm license and governing the operation of game farms. Private sector cultured aquatic products as defined in section 2 of this 1985 act are exempt from regulation under this section.

Sec. 23. Section 77.28.080, chapter 36, Laws of 1955 as amended by section 100, chapter 78, Laws of 1980 and RCW 77.12.590 are each amended to read as follows:

Wildlife given away, sold, or transferred by a licensed game farmer shall have attached to each wildlife member, package, or container, a tag, seal, or invoice as required by the commission. Private sector cultured aquatic products as defined in section 2 of this 1985 act are exempt from regulation under this section.

Sec. 24. Section 77.28.090, chapter 36, Laws of 1955 as amended by section 101, chapter 78, Laws of 1980 and RCW 77.12.600 are each amended to read as follows:

A common carrier may transport wildlife shipped by a licensed game farmer if the wildlife is tagged, sealed, or invoiced as provided in RCW 77.12.590. Packages containing wildlife shall have affixed to them tags or labels showing the name of the licensee and the consignee. For purposes of this section, wildlife does not include private sector cultured aquatic products as defined in section 2 of this 1985 act. However, if a means of identifying such products is required by rules adopted under section 5 of this 1985 act, this exemption from the definition of wildlife applies only if the aquatic products are identified in conformance with those rules.

Sec. 25. Section 77.32.010, chapter 36, Laws of 1955 as last amended by section 2, chapter 284, Laws of 1983 and RCW 77.32.010 are each amended to read as follows:

(1) Except as otherwise provided in this chapter, a license issued by the commission is required to:

- (a) Hunt for wild animals or wild birds or fish for game fish;
- (b) Practice taxidermy for profit;
- (c) Deal in raw furs for profit;
- (d) Act as a fishing guide;
- (e) Operate a game farm;
- (f) Purchase or sell anadromous game fish; or
- (g) Use department-managed lands or facilities as provided by rule of the commission.

(2) A permit issued by the director is required to:

- (a) Conduct, hold, or sponsor hunting or fishing contests or competitive field trials using live wildlife;
- (b) Collect wild animals, wild birds, game fish, or protected wildlife for research or display; or
- (c) Stock game fish.

(3) Aquaculture as defined in section 2 of this 1985 act is exempt from the requirements of this section, except when being stocked in public waters under contract with the department of game.

**NEW SECTION.** Sec. 26. (1) The department of fisheries shall report to the legislature on the expenditure of funds needed to implement the disease program called for in section 8 of this act. The report shall detail the percentage of the funds originating from user fees and the percentage of the funds from the state general fund. The report shall be delivered to the legislature by January 1, 1987.

(2) The department shall survey the boundaries of the state's Puget Sound oyster reserves and shall assess the ability of those lands to support aquatic products if actively cultivated. The department shall submit a report to the legislature by January 1, 1986, identifying its findings regarding the support capacity of the reserves and the optimum use of the reserves for cultivating aquatic products.

**NEW SECTION.** Sec. 27. (1) Sections 1 through 7 of this act shall constitute a new chapter in Title 15 RCW.

(2) Sections 8 through 11 of this act shall constitute a new chapter in Title 75 RCW.

**NEW SECTION.** Sec. 28. The following acts or parts of acts are each repealed:

- (1) Section 2, chapter 35, Laws of 1971, section 124, chapter 46, Laws of 1983 1st ex. sess. and RCW 75.28.265; and
- (2) Section 10, chapter 212, Laws of 1955, section 126, chapter 46, Laws of 1983 1st ex. sess. and RCW 75.28.282.\*

On page 1, on line 1 of the title, after "farming;" strike the remainder of the title and insert "amending RCW 15.65.020, 15.66.010, 43.23.030, 46.16.090, 75.08.080, 75.28.010, 75.28.280, 75.28.300, 77.08.020, 77.12.570, 77.12.590, 77.12.600, and 77.32.010; adding a new section to chapter 75.08 RCW; adding a new chapter to Title 15 RCW; adding a new chapter to Title 75 RCW; creating new sections; repealing RCW 75.28.265 and 75.28.282; and prescribing penalties."

Signed by Representatives Vekich, Chair; Baugher, Vice Chair; Ballard, Bristow, Brooks, Chandler, Doty, Kremen, Madsen, Nealey and Peery.

Passed to Committee on Rules for second reading.

April 3, 1985

SB 3085 Prime Sponsor, Senator Patterson: Permitting application of approved sunscreens to vehicle windows. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Betzoff, Brough, Fisch, Fisher, Gallagher, Hankins, Kremen, Lundquist, Patrick, Prince, Schmidt, C. Smith, Sutherland, Tanner, Valle and K. Wilson.

Voting nay: Representatives Baugher, Haugen and Zellinsky.

Absent: Representatives Wineberry, Vice Chair; Bond, McMullen, Sutherland, Thomas, Van Luven and J. Williams.

Passed to Committee on Rules for second reading.

April 3, 1985

SSB 3094 Prime Sponsor, Committee on Judiciary: Modifying provisions relating to deeds of trust. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Hargrove, Lewis, Niemi, Padden, Schmidt, Schoon, Van Luven, West and Wang.

Absent: Representatives Dellwo, P. King, Locke, G. Nelson, Schmidt and Tilly.

Passed to Committee on Rules for second reading.

April 3, 1985

ESSB 3099 Prime Sponsor, Committee on Judiciary: Providing mental health treatment for juveniles. Reported by Committee on Social & Health Services.

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

**NEW SECTION.** Sec. 1. It is the purpose of this legislation to ensure that minors in need of mental health care and treatment receive appropriate care and treatment, and to enable treatment decisions to be made in response to clinical needs and in accordance with sound professional judgment while also recognizing parents' rights to participate in treatment decisions for their minor children, and to protect minors against needless hospitalization and deprivations of liberty.

**NEW SECTION.** Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Child psychiatrist' means a person having a license as a physician and surgeon in this state, who has had graduate training in child psychiatry in a program approved by the American Medical Association or the American Osteopathic Association, and who is board eligible or board certified in child psychiatry.

(2) 'Children's mental health specialist' means:

(a) A mental health professional who has completed a minimum of one hundred actual hours, not quarter or semester hours, of specialized training devoted to the study of child development and the treatment of children; and

(b) A mental health professional who has the equivalent of one year of full-time experience in the treatment of children under the supervision of a children's mental health specialist.

(3) 'Commitment' means a determination by a judge or court commissioner, made after a commitment hearing, that the minor is in need of inpatient diagnosis, evaluation, or treatment or that the minor is in need of less restrictive alternative treatment.

(4) 'County-designated mental health professional' means a mental health professional designated by one or more counties to perform the functions of a county-designated mental health professional described in this chapter.

(5) 'Department' means the department of social and health services.

(6) 'Evaluation and treatment facility' means a public or private facility or unit that is certified by the department to provide emergency, inpatient, residential, or outpatient mental health evaluation and treatment services for minors. A physically separate and separately-operated portion of a state hospital may be designated as an evaluation and treatment facility for minors. A facility which is part of or operated by the department or federal agency does not require certification. No correctional institution or facility, juvenile court detention facility, or jail may be an evaluation and treatment facility within the meaning of this chapter.

(7) 'Evaluation and treatment program' means the total system of services and facilities coordinated and approved by a county or combination of counties for the evaluation and treatment of minors under this chapter.

(8) 'Gravely disabled minor' means a minor who, as a result of a mental disorder, is in danger of serious physical harm resulting from a failure to provide for his or her essential human needs of health or safety, or manifests severe deterioration in routine functioning evidenced by repeated and escalating loss of cognitive or volitional control over his or her actions and is not receiving such care as is essential for his or her health or safety.

(9) 'Inpatient treatment' means twenty-four-hour-per-day mental health care provided within a general hospital, psychiatric hospital, or residential treatment facility certified by the department as an evaluation and treatment facility for minors.

(10) 'Less restrictive alternative' or 'less restrictive setting' means outpatient treatment provided to a minor who is not residing in a facility providing inpatient treatment as defined in this chapter.

(11) 'Likelihood of serious harm' means either: (a) A substantial risk that physical harm will be inflicted by an individual upon his or her own person, as evidenced by threats or attempts to commit suicide or inflict physical harm on oneself; (b) a substantial risk that physical harm will be inflicted by an individual upon another, as evidenced by behavior which has caused such harm or which places another person or persons in reasonable fear of sustaining such harm; or (c) a substantial risk that physical harm will be inflicted by an individual upon the property of others, as evidenced by behavior which has caused substantial loss or damage to the property of others.

(12) 'Mental disorder' means any organic, mental, or emotional impairment that has substantial adverse effects on an individual's cognitive or volitional functions. The presence of alcohol abuse, drug abuse, juvenile criminal history, antisocial behavior, or mental retardation alone is insufficient to justify a finding of 'mental disorder' within the meaning of this section.

(13) 'Mental health professional' means a psychiatrist, psychologist, psychiatric nurse, or social worker, and such other mental health professionals as may be defined by rules adopted by the secretary under this chapter.

(14) 'Minor' means any person under the age of eighteen years.

(15) 'Outpatient treatment' means any of the nonresidential services mandated under chapter 71.24 RCW and provided by licensed services providers as identified by RCW 71.24.025(3).

(16) 'Parent' means:

(a) A biological or adoptive parent who has legal custody of the child, including either parent if custody is shared under a joint custody agreement; or

(b) A person or agency judicially appointed as legal guardian or custodian of the child.

(17) 'Professional person in charge' means a physician or other mental health professional empowered by an evaluation and treatment facility with authority to make admission and discharge decisions on behalf of that facility.

(18) 'Psychiatric nurse' means a registered nurse who has a bachelor's degree from an accredited college or university, and who has had, in addition, at least two years' experience in the direct treatment of mentally ill or emotionally disturbed persons, such experience gained under the supervision of a mental health professional. 'Psychiatric nurse' shall also mean any other registered nurse who has three years of such experience.

(19) 'Psychiatrist' means a person having a license as a physician in this state who has completed residency training in psychiatry in a program approved by the American Medical Association or the American Osteopathic Association, and is board eligible or board certified in psychiatry.

(20) 'Psychologist' means a person licensed as a psychologist under chapter 18.83 RCW.

(21) 'Responsible other' means the minor, the minor's parent or estate, or any other person legally responsible for support of the minor.

(22) 'Secretary' means the secretary of the department or secretary's designee.

(23) 'Start of initial detention' means the time of arrival of the minor at the first evaluation and treatment facility offering inpatient treatment if the minor is being involuntarily detained at the time. With regard to voluntary patients, 'start of initial detention' means the time at which the minor gives notice of intent to leave under the provisions of this chapter.

NEW SECTION, Sec. 3. (1) Any minor thirteen years or older may request and receive outpatient treatment without the consent of the minor's parent. Parental authorization is required for outpatient treatment of a minor under the age of thirteen.

(2) When in the judgment of the professional person in charge of an evaluation and treatment facility there is reason to believe that a minor is in need of inpatient treatment because of a mental disorder, and the facility provides the type of evaluation and treatment needed by the minor, and it is not feasible to treat the minor in any less restrictive setting or the minor's home, the minor may be admitted to an evaluation and treatment facility in accordance with the following requirements:

(a) A minor under thirteen years of age may only be admitted on the application of the minor's parent.

(b) A minor thirteen years or older may be voluntarily admitted by application of the parent. Such application must be accompanied by the written consent, knowingly and voluntarily given, of the minor.

(c) A minor thirteen years or older may, with the concurrence of the professional person in charge of an evaluation and treatment facility, admit himself or herself without parental consent to the evaluation and treatment facility, provided that notice is given by the facility to the minor's parent in accordance with the following requirements:

(i) Notice of the minor's admission shall be in the form most likely to reach the parent within twenty-four hours of the minor's voluntary admission and shall advise the parent that the minor has been admitted to inpatient treatment; the location and telephone number of the facility providing such treatment; and the name of a professional person on the staff of the facility providing treatment who is designated to discuss the minor's need for inpatient treatment with the parent.

(ii) The minor shall be released to the parent at the parent's request for release unless the facility files a petition with the superior court of the county in which treatment is being provided setting forth the basis for the facility's belief that the minor is in need of inpatient treatment and that release would constitute a threat to the minor's health or safety.

(iii) The petition shall be signed by the professional person in charge of the facility or that person's designee.

(iv) The parent may apply to the court for separate counsel to represent the parent if the parent cannot afford counsel.

(v) There shall be a hearing on the petition, which shall be held within three judicial days from the filing of the petition.

(vi) The hearing shall be conducted by a judge, court commissioner, or licensed attorney designated by the superior court as a hearing officer for such hearing. The hearing may be held at the treatment facility.

(vii) At such hearing, the facility must demonstrate by a preponderance of the evidence presented at the hearing that the minor is in need of inpatient treatment and that release would constitute a threat to the minor's health or safety. The hearing shall not be conducted using the rules of evidence, and the admission or exclusion of evidence sought to be presented shall be within the exercise of sound discretion by the judicial officer conducting the hearing.

(d) Written renewal of voluntary consent must be obtained from the applicant and the minor thirteen years or older no less than once every twelve months.

(e) The minor's need for continued inpatient treatments shall be reviewed and documented no less than every one hundred eighty days.

(3) A notice of intent to leave shall result in the following:

(a) Any minor under the age of thirteen must be discharged immediately upon written request of the parent.

(b) Any minor thirteen years or older voluntarily admitted may give notice of intent to leave at any time. The notice need not follow any specific form so long as it is written and the intent of the minor can be discerned.

(c) The staff member receiving the notice shall date it immediately, record its existence in the minor's clinical record, and send copies of it to the minor's attorney, if any, the county-designated mental health professional, and the parent.

(d) The professional person in charge of the evaluation and treatment facility shall discharge the minor, thirteen years or older, from the facility within twenty-four hours after receipt of the minor's notice of intent to leave, unless the county-designated mental health professional files a petition for initial detention within the time prescribed by this chapter.

**NEW SECTION.** Sec. 4. If a minor, thirteen years or older, is brought to an evaluation and treatment facility or hospital emergency room for immediate mental health services, the professional person in charge of the facility shall evaluate the minor's mental condition, determine whether the minor suffers from a mental disorder, and whether the minor is in need of immediate inpatient treatment. If it is determined that the minor suffers from a mental disorder, inpatient treatment is required, the minor is unwilling to consent to voluntary admission, and the professional person believes that the minor meets the criteria for initial detention set forth herein, the facility may detain or arrange for the detention of the minor for up to twelve hours in order to enable a county-designated mental health professional to evaluate the minor and commence initial detention proceedings under the provisions of this chapter.

**NEW SECTION.** Sec. 5. (1) When a county-designated mental health professional receives information that a minor, thirteen years or older, as a result of a mental disorder presents a likelihood of serious harm or is gravely disabled, has investigated the specific facts alleged and of the credibility of the person or persons providing the information, and has determined that voluntary admission for inpatient treatment is not possible, the county-designated mental health professional may take the minor, or cause the minor to be taken, into custody and transported to an evaluation and treatment facility providing inpatient treatment.

(2) Within twelve hours of the minor's arrival at the evaluation and treatment facility, the county-designated mental health professional shall serve on the minor a copy of the petition for initial detention, notice of initial detention, and statement of rights. The county-designated



mental health professional shall file with the court on the next judicial day following the initial detention the original petition for initial detention, notice of initial detention, and statement of rights along with an affidavit of service. The county-designated mental health professional shall commence service of the petition for initial detention and notice of the initial detention on the minor's parent and the minor's attorney as soon as possible following the initial detention.

(3) At the time of initial detention, the county-designated mental health professional shall advise the minor both orally and in writing that if admitted to the evaluation and treatment facility for inpatient treatment, a commitment hearing shall be held within seventy-two hours of the minor's provisional acceptance to determine whether probable cause exists to commit the minor for further mental health treatment.

The minor shall be advised that he or she has a right to communicate immediately with an attorney and that he or she has a right to have an attorney appointed to represent him or her before and at the hearing if the minor is indigent.

(4) Whenever the county designated mental health professional petitions for detention of a minor under this chapter, an evaluation and treatment facility providing seventy-two hour evaluation and treatment must immediately accept on a provisional basis the petition and the person. Within twenty-four hours of the minor's arrival, the facility must evaluate the minor's condition and either admit or release the minor in accordance with this chapter.

(5) If a minor is not approved for admission by the inpatient evaluation and treatment facility, the facility shall make such recommendations and referrals for further care and treatment of the minor as necessary.

NEW SECTION. Sec. 6. (1) Each minor approved by the facility for inpatient admission shall be examined and evaluated by a children's mental health specialist as to the child's mental condition and by a physician as to the child's physical condition within twenty-four hours of admission. Reasonable measures shall be taken to ensure medical treatment is provided for any condition requiring immediate medical attention.

(2) The admitting facility shall take reasonable steps to notify immediately the minor's parent of the admission.

(3) During the initial seventy-two hour treatment period, the minor has a right to associate or receive communications from parents or others unless the professional person in charge determines that such communication would be seriously detrimental to the minor's condition or treatment and so indicates in the minor's clinical record, and notifies the minor's parents of this determination. In no event may the minor be denied the opportunity to consult an attorney.

(4) If the evaluation and treatment facility admits the minor, it may detain the minor for evaluation and treatment for a period not to exceed seventy-two hours from the time of provisional acceptance. The computation of such seventy-two hour period shall exclude Saturdays, Sundays, and holidays. This initial treatment period shall not exceed seventy-two hours except when an application for voluntary inpatient treatment is received or a petition for fourteen-day commitment is filed.

(5) Within twelve hours of the admission, the facility shall advise the minor of his or her rights as set forth in this chapter.

NEW SECTION. Sec. 7. (1) The professional person in charge of an evaluation and treatment facility where a minor has been admitted involuntarily for the initial seventy-two hour treatment period under this chapter may petition to have a minor committed to an evaluation and treatment facility for fourteen-day diagnosis, evaluation, and treatment.

(2) A petition for commitment of a minor under this section shall be filed with the superior court in the county where the minor is residing or being detained.

(a) A petition for a fourteen-day commitment shall be signed either by two physicians or by one physician and a mental health professional who have examined the minor and shall contain the following:

(i) The name and address of the petitioner;

(ii) The name of the minor alleged to meet the criteria for fourteen-day commitment;

(iii) The name, telephone number, and address if known of every person believed by the petitioner to be legally responsible for the minor;

(iv) A statement that the petitioner has examined the minor and finds that the minor's condition meets required criteria for fourteen-day commitment and the supporting facts therefor;

(v) A statement that the minor has been advised of the need for voluntary treatment but has been unwilling or unable to consent to necessary treatment;

(vi) A statement recommending the appropriate facility or facilities to provide the necessary treatment; and

(vii) A statement concerning whether a less restrictive alternative to inpatient treatment is in the best interests of the minor.

(b) A copy of the petition shall be personally delivered to the minor by the petitioner or petitioner's designee. A copy of the petition shall be sent to the minor's attorney and the minor's parent.

NEW SECTION. Sec. 8. (1) A commitment hearing shall be held within seventy-two hours of the minor's admission, excluding Saturday, Sunday, and holidays, unless a continuance is requested by the minor or the minor's attorney.

(2) The commitment hearing shall be conducted at the superior court or an appropriate place at the facility in which the minor is being detained.

(3) At the commitment hearing, the evidence in support of the petition shall be presented by the county prosecutor.

(4) The minor shall be present at the commitment hearing unless the minor, with the assistance of the minor's attorney, waives the right to be present at the hearing.

(5) If the parents are opposed to the petition, they may be represented at the hearing and shall be entitled to court-appointed counsel if they are indigent.

(6) At the commitment hearing, the minor shall have the following rights:

(a) To be represented by an attorney;

(b) To present evidence on his or her own behalf;

(c) To question persons testifying in support of the petition.

(7) If the minor has received medication within twenty-four hours of the hearing, the court shall be informed of that fact and of the probable effects of the medication.

(8) Rules of evidence shall not apply in fourteen-day commitment hearings;

(9) For a fourteen-day commitment, the court must find by a preponderance of the evidence that:

(a) The minor has a mental disorder and presents a 'likelihood of serious harm' or is 'gravely disabled';

(b) The minor is in need of evaluation and treatment of the type provided by the inpatient evaluation and treatment facility to which continued inpatient care is sought or is in need of less restrictive alternative treatment found to be in the best interests of the minor; and

(c) The minor is unwilling or unable in good faith to consent to voluntary treatment.

(10) If the court finds that the minor meets the criteria for a fourteen-day commitment, the court shall either authorize commitment of the minor for inpatient treatment or for less restrictive alternative treatment upon such conditions as are necessary. If the court determines that the minor does not meet the criteria for a fourteen-day commitment, the minor shall be released.

(11) Nothing in this section prohibits the professional person in charge of the evaluation and treatment facility from releasing the minor at any time, when, in the opinion of the professional person in charge of the facility, further inpatient treatment is no longer necessary. The release may be subject to reasonable conditions if appropriate.

Whenever a minor is released under this section, the professional person in charge shall within three days, notify the court in writing of the release.

(12) A minor who has been committed for fourteen days shall be released at the end of that period unless a petition for one hundred eighty-day commitment is pending before the court.

**NEW SECTION.** Sec. 9. (1) At any time during the minor's period of fourteen-day commitment, the professional person in charge may petition the court for an order requiring the minor to undergo an additional one hundred eighty-day period of treatment. The evidence in support of the petition shall be presented by the county prosecutor unless the petition is filed by the professional person in charge of a state-operated facility in which case the evidence shall be presented by the attorney general.

(2) The petition for one hundred eighty-day commitment shall contain the following:

(a) The name and address of the petitioner or petitioners;

(b) The name of the minor alleged to meet the criteria for one hundred eighty-day commitment;

(c) A statement that the petitioner is the professional person in charge of the evaluation and treatment facility responsible for the treatment of the minor;

(d) The date of the fourteen-day commitment order; and

(e) A summary of the facts supporting the petition.

(3) The petition shall be supported by accompanying affidavits signed by two examining physicians, one of whom shall be a child psychiatrist, or by one examining physician and one children's mental health specialist. The affidavits shall describe in detail the behavior of the detained minor which supports the petition and shall state whether a less restrictive alternative to inpatient treatment is in the best interests of the minor.

(4) The petition for one hundred eighty-day commitment shall be filed with the clerk of the court at least three days before the expiration of the fourteen-day commitment period. The petitioner or the petitioner's designee shall within twenty-four hours of filing serve a copy of the petition on the minor and notify the minor's attorney and the minor's parent. A copy of the petition shall be provided to such persons at least twenty-four hours prior to the hearing.

(5) At the time of filing, the court shall set a date within seven days for the hearing on the petition. The court may continue the hearing upon the written request of the minor or the minor's attorney for not more than ten days. The minor or the parents shall be afforded the same rights as in a fourteen-day commitment hearing. Treatment of the minor shall continue pending the proceeding.

(6) For one hundred eighty-day commitment, the court must find by clear, cogent, and convincing evidence that the minor:

- (a) Is suffering from a mental disorder;
- (b) Presents a likelihood of serious harm or is gravely disabled; and
- (c) Is in need of further treatment that only can be provided in a one hundred eighty-day commitment.

(7) If the court finds that the criteria for commitment are met and that less restrictive treatment in a community setting is not appropriate or available, the court shall order the minor committed for further inpatient treatment to the custody of the secretary or to a private treatment and evaluation facility if the minor's parents have assumed responsibility for payment for the treatment. If the court finds that a less restrictive alternative is in the best interest of the minor, the court shall order less restrictive alternative treatment upon such conditions as necessary.

If the court determines that the minor does not meet the criteria for one hundred eighty-day commitment, the minor shall be released.

(8) Successive one hundred eighty-day commitments are permissible on the same grounds and under the same procedures as the original one hundred eighty-day commitment. Such petitions shall be filed at least five days prior to the expiration of the previous one hundred eighty-day commitment order.

**NEW SECTION, Sec. 10.** (1) If a minor is committed for one hundred eighty-day inpatient treatment and is to be placed in a state-supported program, the secretary shall accept immediately and place the minor in a state-funded long-term evaluation and treatment facility.

(2) The secretary's placement authority shall be exercised through a designated placement committee appointed by the secretary and composed of children's mental health specialists, including at least one child psychiatrist who represents the state-funded, long-term, evaluation and treatment facility for minors. The responsibility of the placement committee will be to:

(a) Make the long-term placement of the minor in the most appropriate, available state-funded evaluation and treatment facility, having carefully considered factors including the treatment needs of the minor, the most appropriate facility able to respond to the minor's identified treatment needs, the geographic proximity of the facility to the minor's family, the immediate availability of bed space, and the probable impact of the placement on other residents of the facility;

(b) Approve or deny requests from treatment facilities for transfer of a minor to another facility;

(c) Receive and monitor reports required under this section;

(d) Receive and monitor reports of all discharges.

(3) The secretary may authorize transfer of minors among treatment facilities if the transfer is in the best interests of the minor or due to treatment priorities.

(4) The responsible state-funded evaluation and treatment facility shall submit a report to the department's designated placement committee within ninety days of admission and no less than every one hundred eighty days thereafter, setting forth such facts as the department requires, including the minor's individual treatment plan and progress, recommendations for future treatment, and possible less restrictive treatment.

**NEW SECTION, Sec. 11.** (1) If the professional person in charge of an outpatient treatment program, a county-designated mental health professional, or the secretary determines that a minor is failing to adhere to the conditions of the court order for less restrictive alternative treatment or the conditions for the conditional release, or that substantial deterioration in the minor's functioning has occurred, the county-designated mental health professional, or the secretary may order that the minor be taken into custody and transported to an inpatient evaluation and treatment facility.

(2) The county-designated mental health professional or the secretary shall file the order of apprehension and detention and serve it upon the minor and notify the minor's parent and the minor's attorney, if any, of the detention within two days of return. At the time of service the minor shall be informed of the right to a hearing and to representation by an attorney. The county-designated mental health professional or the secretary may modify or rescind the order of apprehension and detention at any time prior to the hearing.

(3) A petition for revocation of less restrictive alternative treatment shall be filed by the county-designated mental health professional or the secretary with the court in the county ordering the less restrictive alternative treatment. The court shall conduct the hearing in that county. A petition for revocation of conditional release may be filed with the court in the county ordering inpatient treatment or the county where the minor on conditional release is residing. A petition shall describe the behavior of the minor indicating violation of the conditions or deterioration of routine functioning and a dispositional recommendation. Upon motion for good cause, the hearing may be transferred to the county of the minor's residence or to the county in which the alleged violations occurred. The hearing shall be held within seven days of the minor's return. The issues to be determined are whether the minor did or did not adhere to the conditions of the less restrictive alternative treatment or conditional release, or whether the minor's routine functioning has substantially deteriorated, and, if so, whether the conditions of less restrictive alternative treatment or conditional release should be modified or whether

the minor should be returned to inpatient treatment. Pursuant to the determination of the court, the minor shall be returned to less restrictive alternative treatment or conditional release on the same or modified conditions or shall be returned to inpatient treatment. If the minor is returned to inpatient treatment, section 10 of this act regarding the secretary's placement responsibility shall apply. The hearing may be waived by the minor and the minor returned to inpatient treatment or to less restrictive alternative treatment or conditional release on the same or modified conditions.

**NEW SECTION.** Sec. 12. (1) The professional person in charge of the inpatient treatment facility may authorize release for the minor under such conditions as appropriate. Conditional release may be revoked pursuant to section 11 of this act if leave conditions are not met or the minor's functioning substantially deteriorates.

(2) Minors may be discharged prior to expiration of the commitment period if the treating physician or professional person in charge concludes that the minor no longer meets commitment criteria.

**NEW SECTION.** Sec. 13. (1) A minor receiving treatment under the provisions of this chapter and responsible others shall be liable for the costs of treatment, care, and transportation to the extent of available resources and ability to pay.

(2) The secretary shall establish rules to implement this section and to define income, resources, and exemptions to determine the responsible person's or persons' ability to pay.

**NEW SECTION.** Sec. 14. (1) The county or combination of counties is responsible for development and coordination of the evaluation and treatment program for minors, for incorporating the program into the county mental health plan, and for coordination of evaluation and treatment services and resources with the community mental health program required under chapter 71.24 RCW.

(2) The county shall be responsible for maintaining its support of involuntary treatment services for minors at its 1984 level, adjusted for inflation, with the department responsible for additional costs to the county resulting from this chapter.

**NEW SECTION.** Sec. 15. Necessary transportation for minors committed to the secretary under this chapter for one hundred eighty-day treatment shall be provided by the department in the most appropriate and cost-effective means.

**NEW SECTION.** Sec. 16. Absent a risk to self or others, minors treated under this chapter have the following rights, which shall be prominently posted in the evaluation and treatment facility:

- (1) To wear their own clothes and to keep and use personal possessions;
- (2) To keep and be allowed to spend a reasonable sum of their own money for canteen expenses and small purchases;
- (3) To have individual storage space for private use;
- (4) To have visitors at reasonable times;
- (5) To have reasonable access to a telephone, both to make and receive confidential calls;
- (6) To have ready access to letter-writing materials, including stamps, and to send and receive uncensored correspondence through the mails;
- (7) To discuss treatment plans and decisions with mental health professionals;
- (8) To have the right to adequate care and individualized treatment;
- (9) Not to consent to the performance of electro-convulsive treatment or surgery, except emergency life-saving surgery, upon him or her, and not to have electro-convulsive treatment or nonemergency surgery in such circumstance unless ordered by a court pursuant to a judicial hearing in which the minor is present and represented by counsel, and the court shall appoint a psychiatrist, psychologist, or physician designated by the minor or the minor's counsel to testify on behalf of the minor. The minor's parent may exercise this right on the minor's behalf, and must be informed of any impending treatment;

(10) Not to have psychosurgery performed on him or her under any circumstances.

**NEW SECTION.** Sec. 17. (1) If a minor is not accepted for admission or is released by an inpatient evaluation and treatment facility, the facility shall release the minor to the custody of the minor's parent or other responsible person. If not otherwise available, the facility shall furnish transportation for the minor to the minor's residence or other appropriate place.

(2) If the minor is released to someone other than the minor's parent, the facility shall make every effort to notify the minor's parent of the release as soon as possible.

(3) No indigent minor may be released to less restrictive alternative treatment or setting or discharged from inpatient treatment without suitable clothing, and the department shall furnish this clothing. As funds are available, the secretary may provide necessary funds for the immediate welfare of indigent minors upon discharge or release to less restrictive alternative treatment.

**NEW SECTION.** Sec. 18. The fact of admission and all information obtained through treatment under this chapter is confidential. Confidential information may be disclosed only:

- (1) In communications between mental health professionals to meet the requirements of this chapter, in the provision of services to the minor, or in making appropriate referrals;
- (2) In the course of guardianship or dependency proceedings;
- (3) To persons with medical responsibility for the minor's care;

(4) To the minor, the minor's parent, and the minor's attorney, subject to RCW 13.50.100;

(5) When the minor or the minor's parent designate in writing the persons to whom information or records may be released;

(6) To the extent necessary to make a claim for financial aid, insurance, or medical assistance to which the minor may be entitled or for the collection of fees or costs due to providers for services rendered under this chapter;

(7) To the courts as necessary to the administration of this chapter;

(8) To law enforcement officers or public health officers as necessary to carry out the responsibilities of their office. However, only the fact and date of admission, and the date of discharge, the name and address of the treatment provider, if any, and the last known address shall be disclosed upon request;

(9) To law enforcement officers, public health officers, relatives, and other governmental law enforcement agencies, if a minor has escaped from custody, disappeared from an evaluation and treatment facility, violated conditions of a less restrictive treatment order, or failed to return from an authorized leave, and then only such information as may be necessary to provide for public safety or to assist in the apprehension of the minor. The officers are obligated to keep the information confidential in accordance with this chapter;

(10) To the secretary for assistance in data collection and program evaluation or research, provided that the secretary adopts rules for the conduct of such evaluation and research. The rules shall include, but need not be limited to, the requirement that all evaluators and researchers sign an oath of confidentiality substantially as follows:

'As a condition of conducting evaluation or research concerning persons who have received services from (fill in the facility, agency, or person) I, ..... agree not to divulge, publish, or otherwise make known to unauthorized persons or the public any information obtained in the course of such evaluation or research regarding minors who have received services in a manner such that the minor is identifiable.

I recognize that unauthorized release of confidential information may subject me to civil liability under state law.

/s/ .....

(11) To appropriate law enforcement agencies and to a person, when the identity of the person is known to the public or private agency, whose health and safety has been threatened, or who is known to have been repeatedly harassed, by the patient. The person may designate a representative to receive the disclosure. The disclosure shall be made by the professional person in charge of the public or private agency or his or her designee and shall include the dates of admission, discharge, authorized or unauthorized absence from the agency's facility, and only such other information that is pertinent to the threat or harassment. The decision to disclose or not shall not result in civil liability for the agency or its employees so long as the decision was reached in good faith and without gross negligence;

(12) To a minor's next of kin, attorney, guardian, or conservator, if any, the information that the minor is presently in the facility or that the minor is seriously physically ill and a statement evaluating the mental and physical condition of the minor as well as a statement of the probable duration of the minor's confinement;

(13) Upon the death of a minor, to the minor's next of kin;

(14) To a facility in which the minor resides or will reside.

This section shall not be construed to prohibit the compilation and publication of statistical data for use by government or researchers under standards, including standards to assure maintenance of confidentiality, set forth by the secretary. The fact of admission and all information obtained pursuant to this chapter are not admissible as evidence in any legal proceeding outside this chapter, except guardianship or dependency, without the written consent of the minor or the minor's parent.

**NEW SECTION.** Sec. 19. When in the judgment of the department the welfare of any person committed to or confined in any state juvenile correctional institution or facility necessitates that the person be transferred or moved for observation, diagnosis, or treatment to a state-operated evaluation and treatment facility, the secretary or the secretary's designee is authorized to order and effect such move or transfer for a period of up to thirty days, provided that the secretary notifies the original committing court of the transfer. No person committed to or confined in any state juvenile correctional institution or facility may be transferred to an evaluation and treatment facility for more than thirty days unless that person has been admitted as a voluntary patient or committed for one hundred eighty-day treatment under this chapter or ninety-day treatment under chapter 71.05 RCW if eighteen years of age or older. Underlying jurisdiction of minors transferred or committed under this section remains with the state correctional institution. A voluntary admitted minor or minors committed under this section and no longer meeting the criteria for one hundred eighty-day commitment shall be returned to the state correctional institution to serve the remaining time of the underlying dispositional order or sentence. The time spent by the minor at the evaluation and treatment facility shall be credited towards the minor's juvenile court sentence.

**NEW SECTION.** Sec. 20. No minor received as a voluntary patient or committed under this chapter may be detained after his or her eighteenth birthday unless the person, upon reaching

eighteen years of age, has applied for admission to an appropriate evaluation and treatment facility or unless involuntary commitment proceedings under chapter 71.05 RCW have been initiated: PROVIDED, That a minor may be detained after his or her eighteenth birthday for purposes of completing the fourteen-day diagnosis, evaluation, and treatment.

NEW SECTION. Sec. 21. The records and files maintained in any court proceeding under this chapter are confidential and available only to the minor, the minor's parent, and the minor's attorney. In addition, the court may order the subsequent release or use of these records or files only upon good cause shown if the court finds that appropriate safeguards for strict confidentiality will be maintained.

NEW SECTION. Sec. 22. When disclosure of information or records is made, the date and circumstances under which the disclosure was made, the name or names of the persons or agencies to whom such disclosure was made and their relationship if any, to the minor, and the information disclosed shall be entered promptly in the minor's clinical record.

NEW SECTION. Sec. 23. Attorneys appointed for minors under this chapter shall be compensated for their services as follows:

(1) Responsible others shall bear the costs of such legal services if financially able according to standards set by the court of the county in which the proceeding is held.

(2) If all responsible others are indigent as determined by these standards, the costs of these legal services shall be borne by the county in which the proceeding is held.

NEW SECTION. Sec. 24. Court procedures and proceedings provided for in this chapter shall be in accordance with rules adopted by the supreme court of the state of Washington.

NEW SECTION. Sec. 25. The department shall adopt such rules pursuant to chapter 34.04 RCW as may be necessary to effectuate the intent and purposes of this chapter, which shall include but not be limited to evaluation of the quality, effectiveness, efficiency, and use of services and facilities operating under this chapter, procedures and standards for commitment, and other action relevant to evaluation and treatment facilities, and establishment of criteria and procedures for placement and transfer of committed minors.

NEW SECTION. Sec. 26. (1) The superior court has jurisdiction over proceedings under this chapter.

(2) A record of all petitions and proceedings under this chapter shall be maintained by the clerk of the superior court in the county in which the petition or proceedings was initiated.

(3) Petitions for commitment shall be filed and venue for hearings under this chapter shall be in the county in which the minor is being detained. The court may, for good cause, transfer the proceeding to the county of the minor's residence, or to the county in which the alleged conduct evidencing need for commitment occurred. If the county of detention is changed, subsequent petitions may be filed in the county in which the minor is detained without the necessity of a change of venue.

NEW SECTION. Sec. 27. No public or private agency or governmental entity, nor officer of a public or private agency, nor the superintendent, or professional person in charge, his or her professional designee or attending staff of any such agency, nor any public official performing functions necessary to the administration of this chapter, nor peace officer responsible for detaining a person under this chapter, nor any county designated mental health professional, shall be civilly or criminally liable for performing his or her duties under this chapter with regard to the decision of whether to admit, release, or detain a person for evaluation and treatment: PROVIDED, That such duties were performed in good faith and without gross negligence.

NEW SECTION. Sec. 28. For purposes of this chapter, a superior court may transfer proceedings under this chapter to its juvenile department.

Sec. 29. Section 2, chapter 160, Laws of 1913 as last amended by section 1, chapter 272, Laws of 1984 and RCW 13.04.030 are each amended to read as follows:

The juvenile courts in the several counties of this state, shall have exclusive original jurisdiction over all proceedings:

(1) Under the interstate compact on placement of children as provided in chapter 26.34 RCW;

(2) Relating to children alleged or found to be dependent as provided in chapter 26.44 RCW and in RCW 13.34.030 through 13.34.170, as now or hereafter amended;

(3) Relating to the termination of a parent and child relationship as provided in RCW 13.34.180 through 13.34.210, as now or hereafter amended;

(4) To approve or disapprove alternative residential placement as provided in RCW 13.32A.170;

~~(5) (Relating to children alleged to be or found to be in need of involuntary civil commitment as provided in chapter 72.23 RCW;~~

(6) Relating to juveniles alleged or found to have committed offenses, traffic infractions, or violations as provided in RCW 13.40.020 through 13.40.230, as now or hereafter amended, unless:

(a) The juvenile court transfers jurisdiction of a particular juvenile to adult criminal court pursuant to RCW 13.40.110, as now or hereafter amended; or

(b) The statute of limitations applicable to adult prosecution for the offense, traffic infraction, or violation has expired; or

(c) The alleged offense or infraction is a traffic, fish, boating, or game offense or traffic infraction committed by a juvenile sixteen years of age or older and would, if committed by an adult, be tried or heard in a court of limited jurisdiction, in which instance the appropriate court of limited jurisdiction shall have jurisdiction over the alleged offense or infraction: PROVIDED, That if such an alleged offense or infraction and an alleged offense or infraction subject to juvenile court jurisdiction arise out of the same event or incident, the juvenile court may have jurisdiction of both matters: PROVIDED FURTHER, That the jurisdiction under this subsection does not constitute 'transfer' or a 'decline' for purposes of RCW 13.40.110(1) or subsection ((6)) (5)(a) of this section: PROVIDED FURTHER, That courts of limited jurisdiction which confine juveniles for an alleged offense or infraction may place juveniles in juvenile detention facilities under an agreement with the officials responsible for the administration of the juvenile detention facility in RCW 13.04.035 and 13.20.060:

((7)) (6) Under the interstate compact on juveniles as provided in chapter 13.24 RCW; and

((8)) (7) Relating to termination of a diversion agreement under RCW 13.40.080 as now or hereafter amended, including a proceeding in which the divertee has attained eighteen years of age.

Sec. 30. Section 9, chapter 291, Laws of 1977 ex. sess. as last amended by section 4, chapter 7, Laws of 1985 and RCW 13.04.093 are each amended to read as follows:

It shall be the duty of the prosecuting attorney to act in proceedings relating to the commission of a juvenile offense as provided in RCW 13.40.070 and 13.40.090 and in proceedings ~~((under RCW 72.23.070))~~ as provided in chapter 71.— RCW (sections 1 through 28 of this 1985 act). It shall be the duty of the prosecuting attorney to handle delinquency cases under chapter 13.24 RCW and it shall be the duty of the attorney general to handle dependency cases under chapter 13.24 RCW. It shall be the duty of the attorney general in contested cases brought by the department to present the evidence supporting any petition alleging dependency or seeking the termination of a parent and child relationship or any contested case filed under RCW 26.33.100 or approving or disapproving alternative residential placement: PROVIDED, That in class 1 through 9 counties the attorney general may contract with the prosecuting attorney of the county to perform said duties of the attorney general.

Sec. 31. Section 8, chapter 142, Laws of 1973 1st ex. sess. as last amended by section 179, chapter 3, Laws of 1983 and RCW 71.05.030 are each amended to read as follows:

Persons suffering from a mental disorder may not be involuntarily committed for treatment of such disorder except pursuant to provisions of this chapter, chapter 10.77 RCW or its successor, chapter 71.06 RCW, chapter 71.— RCW (sections 1 through 28 of this 1985 act), transfer pursuant to RCW 72.68.031 through 72.68.037, or pursuant to court ordered evaluation and treatment not to exceed ninety days pending a criminal trial or sentencing.

Sec. 32. Section 71.06.010, chapter 25, Laws of 1959 as last amended by section 42, chapter 80, Laws of 1977 ex. sess. and RCW 71.06.010 are each amended to read as follows:

As used in this chapter, the following terms shall have the following meanings:

'Psychopathic personality' means the existence in any person of such hereditary, congenital or acquired condition affecting the emotional or volitional rather than the intellectual field and manifested by anomalies of such character as to render satisfactory social adjustment of such person difficult or impossible.

'Sexual psychopath' means any person who is affected in a form of psychoneurosis or in a form of psychopathic personality, which form predisposes such person to the commission of sexual offenses in a degree constituting him a menace to the health or safety of others.

'Sex offense' means one or more of the following: Abduction, incest, rape, assault with intent to commit rape, indecent assault, contributing to the delinquency of a minor involving sexual misconduct, sodomy, indecent exposure, indecent liberties with children, carnal knowledge of children, soliciting or enticing or otherwise communicating with a child for immoral purposes, vagrancy involving immoral or sexual misconduct, or an attempt to commit any of the said offenses.

~~(('Psychopathic delinquent' means any minor who is psychopathic, and who is a habitual delinquent, if his delinquency is such as to constitute him a menace to the health, person, or property of himself or others, and the minor is not a proper subject for commitment to a state correctional school, a penal institution, to a state school for the developmentally disabled, or to a state hospital as a mentally ill person.))~~

'Minor' means any person under eighteen years of age.

'Department' means department of social and health services.

'Court' means the superior court of the state of Washington.

'Superintendent' means the superintendent of a state institution designated for the custody, care and treatment of sexual psychopaths or psychopathic delinquents.

Sec. 33. Section 71.06.260, chapter 25, Laws of 1959 as amended by section 132, chapter 141, Laws of 1979 and RCW 71.06.260 are each amended to read as follows:

At any time any person is committed as a sexual psychopath ~~((or psychopathic delinquent))~~ the court shall, after reasonable notice of the time, place and purpose of the hearing

has been given to persons subject to liability under this section, inquire into and determine the financial ability of said person, or his parents if he is a minor, or other relatives to pay the cost of care, meals and lodging during his period of hospitalization. Such cost shall be determined by the department of social and health services. Findings of fact shall be made relative to the ability to pay such cost and a judgment entered against the person or persons found to be financially responsible and directing the payment of said cost or such part thereof as the court may direct. The person committed, or his parents or relatives, may apply for modification of said judgment, or the order last entered by the court, if a proper showing of equitable grounds is made therefor.

**NEW SECTION.** Sec. 34. The following acts or parts of acts are each repealed:

- (1) Section 71.06.150, chapter 25, Laws of 1959 and RCW 71.06.150;
- (2) Section 71.06.160, chapter 25, Laws of 1959 and RCW 71.06.160;
- (3) Section 71.06.170, chapter 25, Laws of 1959 and RCW 71.06.170;
- (4) Section 71.06.180, chapter 25, Laws of 1959 and RCW 71.06.180;
- (5) Section 71.06.190, chapter 25, Laws of 1959 and RCW 71.06.190;
- (6) Section 71.06.200, chapter 25, Laws of 1959 and RCW 71.06.200;
- (7) Section 71.06.210, chapter 25, Laws of 1959 and RCW 71.06.210;
- (8) Section 71.06.220, chapter 25, Laws of 1959 and RCW 71.06.220;
- (9) Section 71.06.230, chapter 25, Laws of 1959 and RCW 71.06.230;
- (10) Section 71.06.240, chapter 25, Laws of 1959 and RCW 71.06.240;
- (11) Section 71.06.250, chapter 25, Laws of 1959 and RCW 71.06.250; and
- (12) Section 72.23.070, chapter 28, Laws of 1959, section 50, chapter 292, Laws of 1971 ex. sess., section 4, chapter 142, Laws of 1973 1st ex. sess., section 1, chapter 24, Laws of 1973 2nd ex. sess., section 3, chapter 145, Laws of 1974 ex. sess., section 11, chapter 199, Laws of 1975 1st ex. sess., section 48, chapter 80, Laws of 1977 ex. sess. and RCW 72.23.070.

**NEW SECTION.** Sec. 35. The department shall prepare a report on standards and regulations proposed to implement chapter 71.... RCW (sections 1 through 28 of this act), on facilities and services available for minors committed under this chapter, and on additional resources required to address the needs of children committed under this chapter. This report shall be presented to the legislature in January 1986.

**NEW SECTION.** Sec. 36. Sections 1 through 28 of this act shall constitute a new chapter in Title 71 RCW.

**NEW SECTION.** Sec. 37. 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. 38. This act shall take effect January 1, 1986.\*

Signed by Representatives Brekke, Chair; Day, Vice Chair; Armstrong, Braddock, Brooks, Dellwo, Leonard, Lewis, Lux, Scott, Tanner and Winsley.

**MINORITY recommendation:** Do not pass. Signed by Representatives Dobbs, Padden and West.

**Voting nay:** Representatives Ballard, Dobbs, Padden and West.

**Absent:** Representative S. Wilson.

Passed to Committee on Rules for second reading.

April 4, 1985

**SSB 3112** Prime Sponsor, Committee on Energy & Utilities: Revising provisions relating to cogeneration facilities. Reported by Committee on Energy & Utilities

**MAJORITY recommendation:** Do pass. Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong, Barnes, Bond, Gallagher, Isaacson, Jacobsen, Long, Madsen, Miller, Nealey, Unsoeld and Van Luven.

**MINORITY recommendation:** Do not pass. Signed by Representative Sutherland.

Referred to Committee on Ways & Means.

April 3, 1985

**SB 3127** Prime Sponsor, Senator Moore: Authorizing the assistant state treasurer to serve on the state investment board. Reported by Committee on Ways & Means

**MAJORITY recommendation:** Do pass. Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Brekke, Bristow, Hastings, Hine,



Holland, J. King, Long, Madsen, G. Nelson, Niemi, Rust, Sayan, Silver, Smitherman, Sommers and Taylor.

MINORITY recommendation: Do not pass. Signed by Representative Sanders.

Voting nay: Representatives Sanders, L. Smith, Taylor and Vander Stoep.

Absent: Representatives Long and Tilly.

Passed to Committee on Rules for second reading.

April 3, 1985

ESSB 3161 Prime Sponsor, Committee on Commerce & Labor: Prescribing protective measures for purchasers of health studio services. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. The legislature recognizes that there is an increasing interest by the citizens of this state in physical fitness and that in response to such interest a wide variety of health and conditioning services are available. Therefore, the legislature declares that it is a matter of public interest that the citizens of this state be assured of reasonable protection when contracting for health and conditioning services.

NEW SECTION, Sec. 2. (1) As used in this chapter, unless the context clearly requires otherwise:

(a) 'Contract for health and conditioning services' means: A contract which provides as one of its primary purposes services or facilities which assist the purchaser to improve physical condition or appearance through physical fitness programs, body building, exercising, reducing, weight loss, figure development, or any other similar activity;

(b) 'Initiation or membership fee' means a fee paid either in a lump sum or installments on a one-time basis when a person first joins a health and conditioning facility for the privilege of belonging to such facility;

(c) 'Use fees' means fees paid on a regular periodic basis for use of a health club. This does not preclude prepayment of use fees at the buyer's option;

(d) 'Health club' or 'club' means any individual, partnership, corporation, or other legal entity offering contracts for health and conditioning services to the public.

(2) A 'contract for health and conditioning services' does not include:

(a) Professional services within the scope of the person's license rendered or furnished by a person licensed under Title 18 RCW;

(b) Instruction at public common schools, public institutions of higher education, private schools approved under RCW 28A.02.201, and private institutions of higher education;

(c) Instruction, training, or assistance relating to diet or control of eating habits not involving physical fitness programs, body building, exercising, figure development, or any other similar activity; or

(d) Services rendered by bona fide nonprofit organizations which have been granted tax exempt status by the internal revenue service, including, but not limited to, the Young Men's Christian Association, the Young Women's Christian Association, or other similar organizations, whose functions as health studios are only incidental to their overall functions and purposes.

(3) Except for the purposes of sections 3, 8, and 9 of this act, a 'contract for health and conditioning services' does not include services rendered by bona fide nonprofit corporations organized under chapter 24.03 RCW which have members and whose members have meaningful voting rights to elect and remove a board of directors which is responsible for the operation of the health club and corporation.

NEW SECTION, Sec. 3. Contracts for health and conditioning services shall be in writing and are subject to this chapter. A copy of the written contract shall be given to the customer when the customer signs the contract.

NEW SECTION, Sec. 4. Contracts for health and conditioning services between the same buyer and the same seller which have overlapping terms are deemed to be one contract for the purpose of this chapter.

NEW SECTION, Sec. 5. If a contract exceeds three years, the buyer shall sign or initial the provision which establishes the duration of the contract.

Contracts may not be sold, advertised, or measured by the lifetime of the buyer.

NEW SECTION, Sec. 6. A contract for health and conditioning services may be sold prior to opening of the facility. Such contract shall provide that:

(1) Agreed upon services will begin within twelve months from the date the contract is signed unless the buyer signs an extension; and

(2) A five-day period for cancellation of the contract shall begin to run from the day the facility opens for use of the buyer and the seller begins to provide the agreed upon services.

NEW SECTION, Sec. 7. (1) Except as provided in subsection (2) of this section, all moneys paid to the seller by the buyer prior to the opening of the facility shall promptly be deposited

by the seller in a trust account, maintained by the seller for the purpose of holding such moneys for the buyer, in a bank, savings and loan association, mutual savings bank, or licensed escrow agent located in Washington. The seller shall within seven days of the first deposit notify the office of the attorney general, in writing, of the name, address, and location of the depository and any subsequent change thereof. Unless otherwise agreed in writing, the seller is entitled to receipt of interest paid on such trust account moneys. The seller shall provide the buyer with a written receipt for the moneys and shall provide written notice of the name and address and location of the depository and any subsequent change thereof. If prior to the opening of the facility the status of the seller is transferred to another, any sums in the trust account affected by such transfer shall simultaneously be transferred to an equivalent trust account of the successor, and the successor shall promptly notify the buyer and the office of the attorney general of the transfer and of the name, address, and location of the new depository. The buyer's claim to any moneys paid under this section is prior to that of any creditor of the seller, including a trustee in bankruptcy or receiver, even if such moneys are commingled. After receipt of the notice of cancellation of the agreement or if the seller fails to open the facility and provide the agreed upon services within twelve months of the signing of the contract, the seller shall within ten days give a full refund to the buyer. The moneys on deposit shall revert to the seller on the day the facility opens.

(2) Subsection (1) of this section does not apply to any sellers who, prior to any preopening sales, have provided a bond guaranteeing performance of all contracts for health and conditioning services sold prior to the opening of the facility. The bond shall be drawn upon a surety in an amount acceptable to the office of the attorney general, running to the state of Washington. An action on the bond may be brought by the office of the attorney general or by any buyer of a contract for health and conditioning services sold prior to the opening of the facility.

**NEW SECTION.** Sec. 8. (1) The contract for health and conditioning services shall contain:

- (a) The name and address of the health and conditioning facilities operator;
- (b) The date the buyer signed the contract;
- (c) The current fees to be paid by the buyer and, if such fees are subject to periodic adjustment, such fact shall be disclosed;
- (d) The services to be provided under the contract; and
- (e) The duration of the contract.

(2) Unless the health and conditioning facilities operator has complied with subsection (1) of this section, the buyer may cancel the contract for health and conditioning services at any time.

**NEW SECTION.** Sec. 9. Contracts for health and conditioning services shall contain clauses which notify buyers of the following rights:

(1) The buyer has the right to cancel the contract at any time prior to midnight of the third calendar day after the date the contract is signed by the buyer. Cancellation under this subsection entitles the buyer to a refund of all moneys paid and relieves the buyer from any future obligations under the contract without penalty.

(2) If by reason of death or total disability the person agreeing to receive services is unable to receive services that have been contracted for, the person or person's estate may cancel the contract.

(a) For total disability, a written confirmation of total disability shall be submitted by the person's treating physician. The health and conditioning facility may require the person to be examined by a physician of their choice if requested within sixty days after a written confirmation is submitted by the treating physician. If the two physicians disagree, they shall choose a third physician to examine the person, each party bearing half the fee. The third physician's opinion shall be binding on all parties. Total disability is a condition incurred after the person signs the contract which precludes the person from physically using the facilities for the remaining term of the contract.

(b) For death, a certified copy of the death certificate shall be sufficient evidence to cancel the contract.

(3) If the health and conditioning facilities are permanently closed and comparable facilities owned and operated by the seller are not made available within a ten-mile radius of the closed facility, the person agreeing to receive health and conditioning services may cancel the contract.

(4) If a contract for health and conditioning services extends for more than one year, the buyer has the right to cancel the contract for any reason after one year upon thirty days' written notice to the seller.

(5) Upon cancellation under subsection (2), (3), or (4) of this section, the buyer is entitled to a refund and relief from future obligations for payments of one-time only initiation and membership fees and monthly use fees as follows:

(a) The buyer is entitled to a refund of the unused portion of any prepaid monthly use fees and relief from future obligations to pay use fees concerning use after the date of cancellation;

(b) If a contract includes a one-time only initiation or membership fee and the buyer cancels under subsection (2) of this section, the buyer is entitled to a pro rata refund of such fee less a predetermined fee not to exceed one-half of the initial initiation or membership fee;

(c) If the contract includes a one-time only initiation or membership fee and the buyer cancels under subsection (3) of this section, the buyer is entitled to a pro rata refund of such fee;

(d) If the contract includes a one-time only initiation or membership fee and the buyer cancels under subsection (4) of this section, the buyer is entitled to a pro rata refund of such fee and relief from future obligations for payment under the contract unless the contract clearly states that the initiation or membership fee is nonrefundable, or states what percentage of the fee is refundable, and the clause is separately signed by the buyer;

(e) To calculate the amount of the refund and relief from future obligations for payment under the contract, the fee shall be apportioned into an equal installment amount by dividing the total fee by the number of months of use contracted for by the buyer. The buyer is entitled to relief from the obligation for payment and a refund of any moneys paid in excess of the number of months of use prior to the date of cancellation multiplied by the equal installment amount; and

(f) All refunds shall be made within thirty days of receipt of the notice of cancellation by the health and conditioning facilities operator. Notice of cancellation shall be provided to the seller by mailing or delivering a signed and dated notice, or sending a telegram which states that the buyer is canceling the contract, or words of similar effect. The seller may require the buyer to return the original copy of the contract, or any membership card, or any other materials which evidence membership in the club.

(g) For any period in which a person is precluded from physically using the facilities due to a temporary total disability, the obligation of that person to pay any monthly use fees will be suspended. For a temporary total disability, a written confirmation shall be submitted by the person's treating physician. The health and conditioning facility may require, if requested within sixty days after a written confirmation is submitted by the treating physician, the person to be examined by a physician of their choice. If the two physicians disagree, they shall choose a third physician to examine the person, each party bearing half the fee. The third physician's opinion shall be binding on all parties.

NEW SECTION. Sec. 10. The provisions of this chapter are not exclusive and do not relieve the parties from compliance with all other applicable federal, state, and local laws and rules.

NEW SECTION. Sec. 11. Any contract for health and conditioning services which does not comply with the applicable provisions of this chapter or in which the buyer waives any provision of this chapter is void and unenforceable as contrary to public policy.

NEW SECTION. Sec. 12. It shall be unlawful to sell or offer for sale any contract for health and conditioning services entered into in reliance upon any false, fraudulent, or misleading information or representations.

NEW SECTION. Sec. 13. A seller who has not furnished a bond under section 7 of this act and who receives money from a buyer under a contract for services from health and conditioning facilities sold prior to the opening of the facility and the provision of the agreed upon services and who fails to deposit such moneys in a trust account maintained by the seller for the purpose of holding such funds for the buyer in a bank, savings and loan association, mutual savings bank, or licensed escrow agent located in Washington within three business days of receipt excluding Saturday, Sunday and holidays shall be guilty of a class C felony as defined in chapter 9A.20 RCW.

NEW SECTION. Sec. 14. A violation of this chapter, for purposes of the consumer protection act, chapter 19.86 RCW, constitutes an unfair or deceptive act or practice.

NEW SECTION. Sec. 15. The provisions of this chapter shall not apply to any contracts for health and conditioning services entered into before the effective date of this act.

NEW SECTION. Sec. 16. 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. 17. Sections 1 through 15 of this act shall constitute a new chapter in Title 19 RCW.\*

Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Hargrove, P. King, Lewis, Locke, Niemi, Schmidt, Schoon, Van Luven and Wang.

MINORITY recommendation: Do not pass. Signed by Representatives Padden and West.

Absent: Representatives Dellwo, Lewis, G. Nelson, Tilly and Van Luven.

Passed to Committee on Rules for second reading.

April 3, 1985

SSB 3179 Prime Sponsor, Committee on Ways & Means: Enlarging the class of persons entitled to cash out annual leave. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass without amendments by Committee on State Government. Signed by Representatives Grimm, Chair; Appelwick, Basich, Brekke, Bristow, Hastings, Holland, J. King, Madsen, G. Nelson, Niemi, Rust, Sanders, Sayan, Silver, L. Smith, Smitherman, Sommers, Taylor, Vander Stoep and B. Williams.

Absent: Representatives Long, Tilly and B. Williams.

Passed to Committee on Rules for second reading.

April 2, 1985

2SSB 3200 Prime Sponsor, Committee on Ways & Means: Modifying provisions relating to crime victims' assistance. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 2, chapter 122, Laws of 1973 1st ex. sess. as last amended by section 4, chapter 239, Laws of 1983 and RCW 7.68.020 are each amended to read as follows:

The following words and phrases as used in this chapter have the meanings set forth in this section unless the context otherwise requires.

(1) 'Department' means the department of labor and industries.

(2) 'Criminal act' means an act committed or attempted in this state which is punishable as a felony or gross misdemeanor under the laws of this state(~~(-PROVIDED, That))~~, except as follows:

(a) The operation of a motor vehicle, motorcycle, train, boat, or aircraft in violation of law does not constitute a 'criminal act' unless ~~((a))~~:

(i) The injury or death was intentionally inflicted; ~~((b))~~

(ii) The operation thereof was part of the commission of another non-vehicular criminal act as defined in this section; or ~~((c))~~

(iii) The death or injury was the result of operation of a motor vehicle after July 24, 1983, and a conviction of vehicular homicide under RCW 46.61.520 or vehicular assault under RCW 46.61.522, has been obtained(~~(-PROVIDED, FURTHER, (a) That))~~);

(b) Neither an acquittal in a criminal prosecution nor the absence of any such prosecution is admissible in any claim or proceeding under this chapter as evidence of the noncriminal character of the acts giving rise to such claim or proceeding, except as provided for in subsection(~~(s-(c) and (d) above))~~) (2)(a)(iii) of this section; ~~((b) that))~~

(c) Evidence of a criminal conviction arising from acts which are the basis for a claim or proceeding under this chapter is admissible in such claim or proceeding for the limited purpose of proving the criminal character of the acts; ~~((c) that))~~ and

(d) Acts which, but for the insanity or mental irresponsibility of the perpetrator, would constitute criminal conduct are deemed to be criminal conduct within the meaning of this chapter.

(3) 'Victim' means a person who suffers bodily injury or death as a proximate result of a criminal act of another person, the victim's own good faith and reasonable effort to prevent a criminal act, or his good faith effort to apprehend a person reasonably suspected of engaging in a criminal act. For the purposes of receiving benefits pursuant to this chapter, 'victim' is interchangeable with 'employee' or 'workman' as defined in chapter 51.08 RCW as now or hereafter amended.

(4) 'Child,' 'accredited school,' 'dependent,' 'beneficiary,' 'average monthly wage,' 'director,' 'injury,' 'invalid,' 'permanent partial disability,' and 'permanent total disability' have the meanings assigned to them in chapter 51.08 RCW as now or hereafter amended.

(5) 'Gainfully employed' means engaging on a regular and continuous basis in a lawful activity from which a person derives a livelihood.

(6) 'Private insurance' means any source of recompense provided by contract available as a result of the claimed injury or death at the time of such injury or death, or which becomes available any time thereafter.

(7) 'Public insurance' means any source of recompense provided by statute, state or federal, available as a result of the claimed injury or death at the time of such injury or death, or which becomes available any time thereafter.

Sec. 2. Section 3, chapter 122, Laws of 1973 1st ex. sess. and RCW 7.68.030 are each amended to read as follows:

It shall be the duty of the director to establish and administer a program of benefits to victims of criminal acts within the terms and limitations of this chapter. In so doing, the director shall, in accordance with chapter 34.04 RCW, adopt rules and regulations necessary to the

administration of this chapter, and the provisions contained in chapter 51.04 RCW, including but not limited to RCW 51.04.020, 51.04.030, 51.04.040, 51.04.050 and 51.04.100 as now or hereafter amended, shall apply where appropriate in keeping with the intent of this chapter. The director may apply for and, subject to appropriation, expend federal funds under Public Law 98-473 and any other federal program providing financial assistance to state crime victim compensation programs. The federal funds shall be deposited in the public safety and education account in the general fund and may be expended only for purposes authorized by applicable federal law.

Sec. 3. Section 6, chapter 122, Laws of 1973 1st ex. sess. as last amended by section 4, chapter 302, Laws of 1977 ex. sess. and RCW 7.68.060 are each amended to read as follows:

For the purposes of applying for benefits under this chapter, the rights, privileges, responsibilities, duties, limitations and procedures contained in RCW 51.28.020, 51.28.030, 51.28.040 and 51.28.060 as now or hereafter amended shall apply: PROVIDED, That no compensation of any kind shall be available under this chapter if:

(1) An application for benefits is not received by the department within one year after the date ~~((of))~~ the criminal act was reported to a local police department or sheriff's office or the date the rights of dependents or beneficiaries accrued~~((:));~~ or

(2) The criminal act is not reported by the victim or someone on his behalf to a local police department or sheriff's office within seventy-two hours of its occurrence or, if it could not reasonably have been reported within that period, within seventy-two hours of the time when a report could reasonably have been made.

Sec. 4. Section 7, chapter 122, Laws of 1973 1st ex. sess. as last amended by section 2, chapter 239, Laws of 1983 and RCW 7.68.070 are each amended to read as follows:

The right to benefits under this chapter and the amount thereof will be governed insofar as is applicable by the provisions contained in chapter 51.32 RCW as now or hereafter amended except as provided in this section:

(1) The provisions contained in RCW 51.32.015, 51.32.020, 51.32.030, 51.32.072, 51.32.073, 51.32.180, 51.32.190, and 51.32.200 as now or hereafter amended are not applicable to this chapter.

(2) Each victim injured as a result of a criminal act, including criminal acts committed between July 1, 1981, and January 1, 1983, or his family or dependents in case of death of the victim, are entitled to benefits in accordance with this chapter, and the rights, duties, responsibilities, limitations, and procedures applicable to a workman as contained in RCW 51.32.010 as now or hereafter amended are applicable to this chapter.

(3) ~~((The limitations contained in RCW 51.32.020 as now or hereafter amended are applicable to claims under this chapter in addition thereto;))~~ No person or spouse, child, or dependent of such person is entitled to benefits under this chapter when the injury for which benefits are sought, was:

(a) The result of consent, provocation, or incitement by the victim;

(b) ~~((The result of an act or acts committed by a person living in the same household with the victim;~~

~~((The result of an act or acts committed by a person who is at the time of the criminal act the spouse, child, parent, or sibling of the victim by the half or whole blood, adoption, or marriage, or the parent or the spouse of or sibling of the spouse of the victim by the half or whole blood, adoption, or marriage, or the son-in-law or daughter-in-law of the victim, unless in the director's sole discretion it is determined that:~~

~~((The parties to the marriage which establishes the relationship between the person committing the criminal act and the victim described above are estranged and living apart; and~~

~~((The interests of justice require otherwise in the particular case;~~

~~((The result of the victim assisting, attempting, or committing a criminal act; or~~

~~((e))~~ (c) Sustained while the victim was confined in any county or city jail, federal jail or prison or in any other federal institution, or any state correctional institution maintained and operated by the department of social and health services or the department of corrections, prior to release from lawful custody; or confined or living in any other institution maintained and operated by the department of social and health services or the department of corrections.

(4) The benefits established upon the death of a workman and contained in RCW 51.32.050 as now or hereafter amended shall be the benefits obtainable under this chapter and provisions relating to payment contained in that section shall equally apply under this chapter: PROVIDED, That benefits for burial expenses shall not exceed ((five hundred dollars)) the maximum cost used by the department of social and health services for the funeral and burial of a deceased indigent person under chapter 74.08 RCW in any claim: PROVIDED FURTHER, That if the criminal act results in the death of a victim who was not gainfully employed at the time of the criminal act, and who was not so employed for at least three consecutive months of the twelve months immediately preceding the criminal act;

(a) Benefits payable to an eligible surviving spouse, where there are no children of the victim at the time of the criminal act who have survived him or where such spouse has legal

custody of all of his children, shall be limited to burial expenses and a lump sum payment of seven thousand five hundred dollars without reference to number of children, if any;

(b) Where any such spouse has legal custody of one or more but not all of such children, then such burial expenses shall be paid, and such spouse shall receive a lump sum payment of three thousand seven hundred fifty dollars and any such child or children not in the legal custody of such spouse shall receive a lump sum of three thousand seven hundred fifty dollars to be divided equally among such child or children;

(c) If any such spouse does not have legal custody of any of the children, the burial expenses shall be paid and the spouse shall receive a lump sum payment of up to three thousand seven hundred fifty dollars and any such child or children not in the legal custody of the spouse shall receive a lump sum payment of up to three thousand seven hundred fifty dollars to be divided equally among the child or children;

(d) If no such spouse survives, then such burial expenses shall be paid, and each surviving child of the victim at the time of the criminal act shall receive a lump sum payment of three thousand seven hundred fifty dollars up to a total of two such children and where there are more than two such children the sum of seven thousand five hundred dollars shall be divided equally among such children.

No other benefits may be paid or payable under these circumstances.

(5) The benefits established in RCW 51.32.060 as now or hereafter amended for permanent total disability proximately caused by the criminal act shall be the benefits obtainable under this chapter, and provisions relating to payment contained in that section apply under this chapter: PROVIDED, That if a victim becomes permanently and totally disabled as a proximate result of the criminal act and was not gainfully employed at the time of the criminal act, the victim shall receive monthly during the period of the disability the following percentages, where applicable, of the average monthly wage determined as of the date of the criminal act pursuant to RCW 51.08.018 as now or hereafter amended:

(a) If married at the time of the criminal act, twenty-nine percent of the average monthly wage.

(b) If married with one child at the time of the criminal act, thirty-four percent of the average monthly wage.

(c) If married with two children at the time of the criminal act, thirty-eight percent of the average monthly wage.

(d) If married with three children at the time of the criminal act, forty-one percent of the average monthly wage.

(e) If married with four children at the time of the criminal act, forty-four percent of the average monthly wage.

(f) If married with five or more children at the time of the criminal act, forty-seven percent of the average monthly wage.

(g) If unmarried at the time of the criminal act, twenty-five percent of the average monthly wage.

(h) If unmarried with one child at the time of the criminal act, thirty percent of the average monthly wage.

(i) If unmarried with two children at the time of the criminal act, thirty-four percent of the average monthly wage.

(j) If unmarried with three children at the time of the criminal act, thirty-seven percent of the average monthly wage.

(k) If unmarried with four children at the time of the criminal act, forty percent of the average monthly wage.

(l) If unmarried with five or more children at the time of the criminal act, forty-three percent of the average monthly wage.

(6) The benefits established in RCW 51.32.080 as now or hereafter amended for permanent partial disability shall be the benefits obtainable under this chapter, and provisions relating to payment contained in that section equally apply under this chapter.

(7) The benefits established in RCW 51.32.090 as now or hereafter amended for temporary total disability shall be the benefits obtainable under this chapter, and provisions relating to payment contained in that section apply under this chapter: PROVIDED, That no person is eligible for temporary total disability benefits under this chapter if such person was not gainfully employed at the time of the criminal act, and was not so employed for at least three consecutive months of the twelve months immediately preceding the criminal act.

(8) The benefits established in RCW 51.32.095 as now or hereafter amended for continuation of benefits during vocational rehabilitation shall be benefits obtainable under this chapter, and provisions relating to payment contained in that section apply under this chapter: PROVIDED, That benefits shall not exceed five thousand dollars for any single injury.

(9) The provisions for lump sum payment of benefits upon death or permanent total disability as contained in RCW 51.32.130 as now or hereafter amended apply under this chapter.

(10) The provisions relating to payment of benefits to, for or on behalf of workmen contained in RCW 51.32.040, 51.32.055, 51.32.100, 51.32.110, 51.32.120, 51.32.135, 51.32.140, 51.32.150,

51.32.160, and 51.32.210 as now or hereafter amended are applicable to payment of benefits to, for or on behalf of victims under this chapter.

(11) No person or spouse, child, or dependent of such person is entitled to benefits under this chapter where the person making a claim for such benefits has refused to give reasonable cooperation to state or local law enforcement agencies in their efforts to apprehend and convict the perpetrator(s) of the criminal act which gave rise to the claim.

(12) In addition to other benefits provided under this chapter, victims of sexual assault are entitled to receive appropriate counseling. Fees for such counseling shall be determined by the department in accordance with RCW 51.04.030. Counseling services may include, if determined appropriate by the department, counseling of members of the victim's immediate family, other than the perpetrator of the assault.

(13) Except for benefits authorized under RCW 7.68.080, no more than fifteen thousand dollars may be granted as a result of any single injury or death.

~~((13) Notwithstanding the provisions of Title 51 RCW, no claim resulting from a single injury or death is eligible for benefits for the first two hundred dollars worth of loss suffered. PROVIDED, That this subsection does not apply to costs covered by RCW 7.68.170 or to other medical costs incurred by the victim of a sexual assault.))~~

(14) Notwithstanding other provisions of this chapter and Title 51 RCW, benefits payable for any one injury or death for loss of earnings, those benefits payable pursuant to subsection (7) of this section, or for loss of future earnings, those benefits payable pursuant to subsection (5) of this section, or for loss of support, those benefits payable pursuant to subsection (4) of this section, shall be limited to ten thousand dollars.

(15) Any person who is responsible for the victim's injuries, or who would otherwise be unjustly enriched as a result of the victim's injuries, shall not be a beneficiary under this chapter.

Sec. 5. Section 9, chapter 176, Laws of 1975 1st ex. sess. as amended by section 6, chapter 302, Laws of 1977 ex. sess. and RCW 7.68.075 are each amended to read as follows:

Notwithstanding the provisions of any of the sections, as now or hereafter amended, of Title 51 RCW which are made applicable to this chapter, the marital status of all victims shall be deemed to be fixed as of the date of the criminal act. All references to the child or children living or conceived of the victim in this chapter shall be deemed to refer to such child or children as of the date of the criminal act unless the context clearly indicates the contrary.

Payments for or on account of any such child or children shall cease when such child is no longer a 'child' as defined in RCW 51.08.030, as now or hereafter amended, or on the death of any such child whichever occurs first.

Payments to the victim or surviving spouse for or on account of any such child or children shall be made only when the victim or surviving spouse has legal custody of any such child or children. Where the victim or surviving spouse does not have such legal custody any payments for or on account of any such child or children shall be made to the person having legal custody of such child or children and the amount of payments shall be subtracted from the payments which would have been due the victim or surviving spouse had legal custody not been transferred to another person.

An invalid child shall not receive compensation under this chapter while being supported and cared for by a state institution. No payment shall be made to or for a natural child of a deceased victim and, at the same time, as the stepchild of a deceased victim.

Sec. 6. Section 13, chapter 122, Laws of 1973 1st ex. sess. as last amended by section 4, chapter 156, Laws of 1980 and RCW 7.68.130 are each amended to read as follows:

Benefits payable pursuant to this chapter shall be reduced by the amount of any other public or private insurance available. Benefits payable after 1980 to victims injured or killed before 1980 shall be reduced by any other public or private insurance including but not limited to social security. Payment by the department under this chapter shall be secondary to such other insurance benefits, notwithstanding the provision of any contract or coverage to the contrary: PROVIDED, That in the case of private life insurance proceeds, the first forty thousand dollars of such proceeds shall not be considered for purposes of any such reduction in benefits.

NEW SECTION. Sec. 7. The amendments to RCW 7.68.020, 7.68.060, and 7.68.070 by this act apply only to criminal acts occurring after December 31, 1985.

NEW SECTION. Sec. 8. There is appropriated from the public safety and education account in the general fund to the department of labor and industries for the biennium ending June 30, 1987, the sum of two million two hundred forty-eight thousand dollars, or as much thereof as may be necessary, to carry out the purposes of this act."

On page 1, line 2 of the title, strike "7.68.035."

Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, P. King, Lewis, Locke, G. Nelson, Schmidt, Schoon, West and Wang.

Absent: Representatives Niemi, Padden, Tilly and Van Luven.

Referred to Committee on Ways & Means.

April 4, 1985

ESB 3234 Prime Sponsor, Senator Hansen: Providing funds for noxious weed control. Reported by Committee on Agriculture

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

\*NEW SECTION, Sec. 1. A new section is added to chapter 17.10 RCW to read as follows:

(1) The noxious weed control account is hereby established in the state treasury. At the beginning of each biennium after June 30, 1987, the state treasurer shall transfer from the general fund to the noxious weed control account an amount of money which, when combined with money remaining in the account from the previous biennium, will equal one million five hundred thousand dollars. Moneys in the noxious weed control account may be spent only after appropriation to the department of agriculture.

(2) The moneys appropriated from the account shall be distributed annually by the director of agriculture in accordance with section 2 of this act and shall be used solely for the purchase of materials or biological control agents for controlling or eradicating noxious weeds. Moneys distributed under section 2 of this act shall not be used for administrative costs, compensating personnel, or controlling weeds by mechanical means.

NEW SECTION, Sec. 2. A new section is added to chapter 17.10 RCW to read as follows:

The director of agriculture after consultation with the state noxious weed control board shall by July 1 of each year distribute funds appropriated from the noxious weed control account created by section 1 of this act to those county noxious weed control boards activated under this chapter and active weed districts created under chapters 17.04 and 17.06 RCW, that employ administrative personnel to supervise a weed control program, as determined by the director, and that have a budget from other than state sources of at least twenty-five thousand dollars annually. The director shall allocate moneys to the noxious weed control boards at the rate of two and one-half cents per acre for lands within the physical boundaries of the county, plus five cents per motor vehicle registered within that county. Funds shall be allocated on the same basis to counties having more than one weed district and shall be distributed by the director to weed districts based on the percentage of lands of the county which are within the physical boundaries of the weed district. The director after consultation with the state noxious weed control board shall allocate remaining moneys appropriated from the account to the noxious weed control boards and districts based on the severity of noxious weed control problems within the jurisdiction of each if the noxious weed control board or district first submits a request in writing to the director prior to January 1 of each year, stating the amount needed of the unallocated funds and for what purpose the funds would be spent.

NEW SECTION, Sec. 3. A new section is added to chapter 17.10 RCW to read as follows:

The state noxious weed control board shall provide a written report prior to January 1 of each year to the legislature showing the amount of funds disbursed to each noxious weed control board or district from the noxious weed control account and how the funds were spent.

NEW SECTION, Sec. 4. A new section is added to chapter 17.10 RCW to read as follows:

The department of agriculture may adopt such rules, pursuant to chapter 34.04 RCW, as the department deems necessary for the administration of sections 1 through 3 of this act.

Sec. 5. Section 7, chapter 113, Laws of 1969 ex. sess. as amended by section 4, chapter 13, Laws of 1975 1st ex. sess. and RCW 17.10.070 are each amended to read as follows:

In addition to the powers conferred on the state noxious weed control board under other provisions of this chapter, it shall have power to:

(1) Require the county legislative authority or the noxious weed control board of any county to report to it concerning the presence of noxious weeds and measures, if any, taken or planned for the control thereof;

(2) ((Employ)) Direct the activities of a state weed supervisor who shall act as executive secretary of the board and who shall disseminate information relating to noxious weeds to county noxious weed control boards and who shall work to coordinate the efforts of the various county and regional noxious weed control boards. The state weed supervisor shall be employed by the department of agriculture; and

(3) Do such things as may be necessary and incidental to the administration of its functions pursuant to this chapter.

NEW SECTION, Sec. 6. A new section is added to chapter 43.131 RCW to read as follows:

The program established under sections 1, 2, 3, and 4 of this act shall be subject to the sunset review process established in this chapter and shall terminate on June 30, 1991, as provided in section 7 of this act.

NEW SECTION, Sec. 7. A new section is added to chapter 43.131 RCW to read as follows:

The following acts or parts of acts, as now existing or hereafter amended, are each repealed, effective June 30, 1991:

- (1) Section 1 of this act;
- (2) Section 2 of this act;
- (3) Section 3 of this act; and
- (4) Section 4 of this act.



NEW SECTION. Sec. 8. The sum of five hundred thousand dollars, or as much thereof as may be necessary, is appropriated for the biennium ending June 30, 1987, from the general fund to the department of agriculture to carry out the purposes of section 2 of this act. The restrictions in section 1(2) of this act applying to moneys appropriated from the noxious weed control account shall also apply to the moneys appropriated by this section.

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."

On page 1, line 3 of the title, after "43.131 RCW;" insert "making an appropriation;"

Signed by Representatives Vekich, Chair; Baugher, Vice Chair; Ballard, Bristow, Brooks, Chandler, Doty, Kremen, Madsen, Nealey and Peery.

Passed to Committee on Rules for second reading.

April 3, 1985

ESSB 3261 Prime Sponsor, Committee on Governmental Operations: Modifying the state building code. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 19.27 RCW to read as follows:

As used in this chapter:

- (1) 'City' means a city or town; and
- (2) 'Multifamily residential building' means common wall residential buildings that consist of four or fewer units, that do not exceed two stories in height, that are less than five thousand square feet in area, and that have a one-hour fire-resistive occupancy separation between units.

NEW SECTION. Sec. 2. A new section is added to chapter 19.27 RCW to read as follows:

(1) The state building code council shall:

(a) Maintain the codes to which reference is made in section 5 of this act in a status which is consistent with the state's interest as set forth in RCW 19.27.020. In maintaining these codes, the council shall regularly review updated versions of the codes referred to in section 5 of this act and other pertinent information and shall amend the codes as deemed appropriate by the council;

(b) Approve or deny all county or city amendments to any code referred to in section 5 of this act to the degree the amendments apply to single family or multifamily residential buildings;

(c) As required by the legislature, develop and adopt any codes relating to buildings; and

(d) Propose a budget for the operation of the state building code council to be submitted to the office of financial management pursuant to RCW 43.88.090.

(2) The state building code council may:

(a) Appoint technical advisory committees which may include members of the council;

(b) Employ permanent and temporary staff and contract for services; and

(c) Conduct research into matters relating to any code or codes referred to in section 5 of this act or any related matter.

All meetings of the state building code council shall be open to the public under the open public meetings act, chapter 42.30 RCW. All actions of the state building code council which adopt or amend any code of state-wide applicability shall be pursuant to the administrative procedure act, chapter 34.04 RCW.

All council decisions relating to the codes enumerated in section 5 of this act shall require approval by at least a majority of the members of the council.

All decisions to adopt or amend codes of state-wide application shall be made prior to December 1 of any year and shall not take effect before the end of the regular legislative session in the next year.

NEW SECTION. Sec. 3. A new section is added to chapter 19.27 RCW to read as follows:

The state building code council shall contract with a private entity to conduct a study and analysis of the codes referred to in section 5 of this act and related regulations of state and local agencies to ascertain the amount and nature of any conflict and inconsistencies. The findings and proposed solutions resulting from this study and analysis shall be submitted to the state building code council no later than September 1, 1987. The state building code council shall consider these findings and proposed solutions when carrying out its responsibilities under section 2 of this act.

NEW SECTION. Sec. 4. There is appropriated from the general fund to the department of community development for the biennium ending June 30, 1987, the sum of one hundred thousand dollars, or so much thereof as may be necessary, to carry out the purposes of this act. No later than January 1, 1986, the state building code council shall submit a report to the legislature recommending a procedure by which counties and cities will fund the activities of the

state building code council. In developing these recommendations, the council shall consult with the Washington state association of counties, the association of Washington cities, and the department of community development.

**NEW SECTION, Sec. 5.** A new section is added to chapter 19.27 RCW to read as follows:

Except as otherwise provided in this chapter, there shall be in effect in all counties and cities the state building code which shall consist of the following codes which are hereby adopted by reference:

(1) Uniform Building Code and Uniform Building Code Standards, 1982 edition, published by the International Conference of Building Officials;

(2) Uniform Mechanical Code, 1982 edition, including Chapter 22, Fuel Gas Piping, Appendix B, published by the International Conference of Building Officials;

(3) The Uniform Fire Code and Uniform Fire Code Standards, 1982 edition, published by the International Conference of Building Officials and the Western Fire Chiefs Association: PROVIDED, That, notwithstanding any wording in this code, participants in religious ceremonies shall not be precluded from carrying hand-held candles;

(4) The Uniform Plumbing Code and Uniform Plumbing Code Standards, 1982 edition, published by the International Association of Plumbing and Mechanical Officials: PROVIDED, That chapters 11 and 12 of such code are not adopted; and

(5) The rules and regulations adopted by the council establishing standards for making buildings and facilities accessible to and usable by the physically handicapped or elderly persons as provided in RCW 70.92.100 through 70.92.160.

In case of conflict among the codes enumerated in subsections (1), (2), (3), and (4) of this section, the first named code shall govern over those following.

The council may issue opinions relating to the codes at the request of a local building official.

Sec. 6. Section 2, chapter 96, Laws of 1974 ex. sess. and RCW 19.27.020 are each amended to read as follows:

The purpose of this chapter is to ~~((provide building codes throughout the state. This chapter is designed to effectuate the following purposes, objectives and standards:~~

~~((1) To) promote the health, safety and welfare of the occupants or users of buildings and structures and the general public by the provision of building codes throughout the state. Accordingly, this chapter is designed to effectuate the following purposes, objectives, and standards:~~

~~((2)) (1) To require minimum performance standards and requirements for construction and construction materials, consistent with accepted standards of engineering, fire and life safety.~~

~~((3)) (2) To require standards and requirements in terms of performance and nationally accepted standards.~~

~~((4)) (3) To permit the use of modern technical methods, devices and improvements.~~

~~((5)) (4) To eliminate restrictive, obsolete, conflicting, duplicating and unnecessary regulations and requirements which could unnecessarily increase construction costs or retard the use of new materials and methods of installation or provide unwarranted preferential treatment to types or classes of materials or products or methods of construction.~~

~~((6)) (5) To provide for standards and specifications for making buildings and facilities accessible to and usable by physically ~~((handicapped))~~ disabled persons.~~

~~((7)) (6) To consolidate within each authorized enforcement jurisdiction, the administration and enforcement of building codes.~~

Sec. 7. Section 3, chapter 96, Laws of 1974 ex. sess. as last amended by section 1, chapter 101, Laws of 1984 and RCW 19.27.030 are each amended to read as follows:

There shall be in effect in all counties and cities~~((; towns, and counties))~~ of the state ~~((a state building code which shall consist of the following codes which are hereby adopted by reference:~~

~~((1) Uniform Building Code and Uniform Building Code Standards, 1982 edition, published by the International Conference of Building Officials;~~

~~((2) Uniform Mechanical Code, 1982 edition, including Chapter 22, Fuel Gas Piping, Appendix B, published by the International Conference of Building Officials;~~

~~((3) The Uniform Fire Code and Uniform Fire Code Standards, 1982 edition, published by the International Conference of Building Officials and the Western Fire Chiefs Association: PROVIDED, That, notwithstanding any wording in this code, participants in religious ceremonies shall not be precluded from carrying hand-held candles;~~

~~((4) The Uniform Plumbing Code and Uniform Plumbing Code Standards, 1982 edition, published by the International Association of Plumbing and Mechanical Officials: PROVIDED, That chapters 11 and 12 of such code are not adopted;~~

~~((5) The rules and regulations adopted by the council establishing standards for making buildings and facilities accessible to and usable by the physically handicapped or elderly persons as provided for in RCW 70.92.100 through 70.92.160; and~~

(6)) the thermal performance and design standards for dwellings as set forth in RCW 19.27A.--- through 19.27A.--- (RCW 19.27.210 through 19.27.290 as recodified). This ((sub-section)) section shall be of no further force and effect when RCW 19.27A.--- through 19.27A.--- (RCW 19.27.200 through 19.27.290 as recodified) expire as provided in RCW 19.27A.--- (RCW 19.27.300 as recodified).

((In case of conflict among the codes enumerated in subsections (1), (2), (3), and (4) of this section, the first named code shall govern over those following:))

Sec. 8. Section 4, chapter 96, Laws of 1974 ex. sess. as amended by section 12, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.040 are each reenacted and amended to read as follows:

((On and after January 1, 1975:)) The governing body of each ((city, town or)) county or city is authorized to amend the state building code as it applies within ((its)) the jurisdiction ((in all such respects as shall be not less than)) of the county or city. The minimum performance standards of the codes and the objectives enumerated in RCW 19.27.020((--including, the authority to adopt any subsequent revisions to the codes in RCW 19.27.030(1), (2), (3), (4), (5), and (6), as now or hereafter amended. PROVIDED, That)) shall not be diminished by any county or city amendments. Amendments to RCW ((19.27.030(6), so adopted)) 19.27A.--- (RCW 19.27.030 as recodified) shall not result in structures that ((do not)) exceed the overall structural heat loss characteristics that would have resulted from conforming to RCW ((19.27.030(6), as now or hereafter amended)) 19.27A.--- (RCW 19.27.030 as recodified).

Nothing in this ((section)) chapter shall authorize any modifications of the requirements of ((chapter 35, Laws of 1967, or)) chapter 70.92 RCW.

Sec. 9. Section 5, chapter 96, Laws of 1974 ex. sess. and RCW 19.27.050 are each amended to read as follows:

The state building code ((provided for in)) required by this chapter shall be ((administered and)) enforced by the ((respective governmental authorities)) counties and cities. Any ((governmental subdivision)) county or city not having a ((local)) building department ((may)) shall contract with another ((governmental subdivision)) county, city, or inspection agency approved by the ((local governmental body)) county or city for ((administration and)) enforcement of the state building code within its jurisdictional boundaries ((in accordance with chapter 39.34 RCW)).

Sec. 10. Section 6, chapter 96, Laws of 1974 ex. sess. as last amended by section 5, chapter 12, Laws of 1981 2nd ex. sess. and RCW 19.27.060 are each amended to read as follows:

(1) ((Except as permitted or provided otherwise under the provisions of RCW 19.27.040 and subsections (3), (4), (5), and (6) of this section, the state building code supersedes all county, city or town building regulations containing)) The governing bodies of counties and cities may amend the codes enumerated in section 5 of this 1985 act as they apply within their respective jurisdictions, but the amendments shall not result in a code that is less than the minimum performance standards and objectives contained in the state building code. No amendment to a code enumerated in section 5 of this 1985 act that affects single family or multifamily residential buildings shall be effective unless the amendment is approved by the building code council under section 2(1)(b) of this 1985 act. Any county or city amendment to a code enumerated in section 5 of this 1985 act which is approved under section 2(1)(b) of this 1985 act shall continue to be effective after any action is taken under section 2(1)(a) of this 1985 act without necessity of reapproval under section 2(1)(b) of this 1985 act unless the amendment is declared null and void by the council at the time any action is taken under section 2(1)(a) of this 1985 act because such action in any way altered the impact of the amendment.

(2) Except as permitted or provided otherwise under ((the provisions of RCW 19.27.040 and subsections (3), (4), (5), and (6) of)) this section, the state building code shall be applicable to all buildings and structures including those owned by the state or by any ((other)) governmental subdivision or unit of local government.

(3) The governing body of each county or city((--town or county)) may limit the application of any ((rule or regulation or)) portion of the state building code to ((include or)) exclude specified classes or types of buildings or structures((:)) according to use((--occupancy, or such other distinctions as may make differentiation or separate classification or regulation necessary, proper, or desirable)) other than single family or multifamily residential buildings; PROVIDED, That in no event shall fruits or vegetables of the tree or vine stored in buildings or warehouses((:)) constitute combustible stock for the purposes of application of the uniform fire code.

(4) The provisions of this chapter shall not apply to any building four or more stories high with ((an-F)) a B occupancy as defined by the uniform building code, ((chapter 6, 1973)) 1982 edition, and with a city fire insurance ((classification)) rating of 1, 2, or 3 as defined by a recognized fire rating bureau or organization.

(5) ((The)) No provision(s) of the uniform fire code concerning ((access)) roadways ((for fire department apparatus applying to dwellings which are classified as group R, division 3 occupancies or group M occupancies in the 1976 edition of the uniform building code,)) shall be ((applied at the discretion of the governing body of each city, town or county)) part of the state building code; PROVIDED, That this subsection shall not limit the authority of a county or city to adopt street, road, or access standards.

(6) The provisions of the state building code are preempted by any physical standards adopted by the state jail commission under RCW 70.48.050 when the code provisions relating to the installation or use of sprinklers in the cells conflict with the standards and the secure and humane operation of jails.

Sec. 11. Section 7, chapter 96, Laws of 1974 ex. sess. as last amended by section 55, chapter 287, Laws of 1984 and RCW 19.27.070 are each amended to read as follows:

There is hereby established a state building code (~~(advisory)~~) council to be appointed by the governor.

(1) ~~The state building code ((advisory)) council shall consist of ((the director of the department of labor and industries, or his designee, and the insurance commissioner, or his designee, and thirteen additional)) fifteen members ((who shall be broadly representative of the general public, local government, and of the industries and professions concerned with building design and construction. The council may include state officials as ex-officio, nonvoting members)), two of whom shall be county elected legislative body members or elected executives and two of whom shall be city elected legislative body members or mayors. One of the members shall be a local government building code enforcement official and one of the members shall be a local government fire service official. Of the remaining nine members, one member shall represent general construction, specializing in commercial and industrial building construction; one member shall represent general construction, specializing in residential and multifamily building construction; one member shall represent the architectural design profession; one member shall represent the structural engineering profession; one member shall represent the mechanical engineering profession; one member shall represent the construction building trades; one member shall represent manufacturers, installers, or suppliers of building materials and components; one member shall be a person with a physical disability and shall represent the disability community; and one member shall represent the general public. At least six of these fifteen members shall reside east of the crest of the Cascade mountains. The council shall include an employee of the office of the insurance commissioner and an employee of the electrical division of the department of labor and industries, as ex-officio, nonvoting members with all other privileges and rights of membership. Terms of office shall be for three years. The board shall report annually to the governor and the legislature on the operation and administration of this chapter. The report shall include a summary of all council decisions relating to updates or amendments to the codes. The council shall elect a member to serve as chair of the council for one-year terms of office. Any member who is appointed by virtue of being an elected official or holding public employment shall be removed from the council if he or she ceases being such an elected official or holding such public employment. Before making any appointments to the building code council, the governor shall seek nominations from recognized organizations which represent the entities or interests listed in this subsection. Members serving on the council on the effective date of this 1985 act may complete their terms of office. Any vacancy shall be filled by alternating appointments from governmental and nongovernmental entities or interests until the council is constituted as required by this subsection.~~

(2) ~~Members shall not be compensated ((in accordance with RCW 43.03.240 and)) but shall receive reimbursement for travel expenses in accordance with RCW 43.03.050 and 43.03.060.~~

(3) ~~The department of community development shall provide administrative and clerical assistance to the building code council.~~

Sec. 12. Section 3, chapter 76, Laws of 1979 ex. sess. and RCW 19.27.075 are each amended to read as follows:

The state building code (~~(advisory)~~) council shall have authority to promulgate rules, pursuant to chapter 34.04 RCW, for the purpose of adopting a state-wide thermal efficiency and lighting code to the extent necessary to comply with Title 10, Code of Federal Regulations, section 420.35. Such code shall take into account regional climatic conditions; shall take effect prior to June 30, 1980; and shall be presented to the senate and house committees on energy and utilities at the time it is proposed as a draft rule.

Sec. 13. Section 1, chapter 11, Laws of 1975-'76 2nd ex. sess. and RCW 19.27.120 are each amended to read as follows:

(1) Repairs, alterations, and additions necessary for the preservation, restoration, rehabilitation, strengthening, or continued use of a building or structure may be made without conformance to all of the requirements of the codes adopted under ((RCW 19.27.030)) section 5 of this 1985 act, when authorized by the appropriate building official under the rules adopted under subsection (2) of this section, provided:

((+)) (a) The building or structure: (i) Has been designated by official action of a legislative body as having special historical or architectural significance, or (ii) is an unreinforced masonry building or structure on the state or the national register of historic places, or is potentially eligible for placement on such registers; and

((+)) (b) The restored building or structure will be less hazardous, based on life and fire risk, than the existing building.

(2) The state building code council shall adopt rules, where appropriate, to provide alternative methods to those otherwise required under this chapter for repairs, alterations, and

additions necessary for preservation, restoration, rehabilitation, strengthening, or continued use of buildings and structures identified under subsection (1) of this section.

Sec. 14. Section 14, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.300 are each amended to read as follows:

RCW 19.27A.--- through 19.27A.--- (RCW 19.27.200 through 19.27.290 as recodified), as now or hereafter amended, shall expire at such time as the thermal performance standards are incorporated in the uniform building code and related standards as published by the international conference of building officials, and adopted by the legislature of the state of Washington.

Sec. 15. Section 2, chapter 134, Laws of 1983 and RCW 19.27.420 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply through-out RCW 19.27A.--- through 19.27A.--- (RCW 19.27.420 through 19.27.460 as recodified).

(1) 'Portable oil-fueled heater' means any nonflue-connected, self-contained, self-supporting, oil-fueled, heating appliance equipped with an integral reservoir, designed to be carried from one location to another.

(2) 'Oil' means any liquid fuel with a flash point of greater than one hundred degrees Fahrenheit, including but not limited to kerosene.

(3) 'Listed' means any portable oil-fueled heater which has been evaluated in accordance with the Underwriters Laboratories, Inc. standard for portable oil-fueled heaters or an equivalent standard and with respect to reasonably foreseeable hazards to life and property by a nationally recognized testing or inspection agency, such as Underwriters Laboratories, Inc., and which has been authorized as being reasonably safe for its specific purpose and shown in a list published by such agency and/or bears the mark, name, and/or symbol of such agency as indication that it has been so authorized. Such evaluation shall include but not be limited to evaluation of the requirements hereinafter set forth.

(4) 'Approved' means any listed portable oil-fueled heater which is deemed approved if it satisfies the requirements set forth herein or adopted under RCW 19.27A.--- through 19.27A.--- (RCW 19.27.420 through 19.27.460 as recodified) and if the supplier certifies to the authority having jurisdiction over the sale and use of the heater that it is listed and in compliance with RCW 19.27A.--- through 19.27A.--- (RCW 19.27.420 through 19.27.460 as recodified).

(5) 'Structure' means any building or completed construction of any kind included in state building code groups M, R-1, R-3, B-4 and B-2 occupancies, except sleeping rooms and bathrooms: PROVIDED, HOWEVER, That in B-2 occupancies, approved portable oil-fueled heaters shall only be used under permit of the fire chief.

(6) 'Supplier' means any party offering to sell to retailers or to the general public approved portable oil-fueled heaters.

Sec. 16. Section 5, chapter 134, Laws of 1983 and RCW 19.27.450 are each amended to read as follows:

The state fire marshal is the only authority having jurisdiction over the approval of portable oil-fueled heaters. The sale and use of portable oil-fueled heaters is governed exclusively by RCW 19.27A.--- through 19.27A.--- (RCW 19.27.420 through 19.27.460 as recodified); PROVIDED, That cities and counties may adopt local standards as provided in RCW 19.27A.--- (RCW 19.27.040 as recodified).

Sec. 17. Section 6, chapter 134, Laws of 1983 and RCW 19.27.460 are each amended to read as follows:

The penalty for failure to comply with RCW 19.27A.--- through 19.27A.--- (RCW 19.27.420 through 19.27.460 as recodified) is a misdemeanor.

NEW SECTION. Sec. 18. RCW 19.27.200, 19.27.210, 19.27.220, 19.27.230, 19.27.240, 19.27.250, 19.27.260, 19.27.270, 19.27.280, 19.27.290, 19.27.300, 19.27.310, and 19.27.905 are each recodified as part of a new chapter in Title 19 RCW to be designated chapter 19.27A RCW.

NEW SECTION. Sec. 19. RCW 19.27.030, 19.27.075, 19.27.130, 19.27.320, 19.27.410, 19.27.420, 19.27.430, 19.27.440, 19.27.450, and 19.27.460 are each recodified as part of a new chapter in Title 19 RCW to be designated as chapter 19.27A RCW."

Signed by Representatives Belcher, Chair; Peery, Vice Chair; Baugher, Brooks, Hankins, O'Brien, Sanders, Taylor, Todd, van Dyke, Vekich and Walk.

MINORITY recommendation: Do not pass. Signed by Representative Fuhrman.

Referred to Committee on Ways & Means.

April 2, 1985

SSB 3305 Prime Sponsor, Committee on Energy & Utilities: Permitting regulation of certain telecommunications companies and services. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass with the following amendments:

On page 8, line 18 after "rates" and before the period insert "because of below cost pricing of competitive telecommunications services"

On page 27, line 33 strike "Sections 3 through 9" and insert "Sections 1, 3 through 9, 41, and 44"

On page 1, line 9 of the title after "80.54.010;" insert "and"

On page 1, line 9 of the title after "RCW" strike all material through "sections" on line 10 of the title

Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Barnes, Isaacson, Jacobsen, Long, Madsen, Miller, Nealey, Sutherland and Unsoeld.

Voting nay: Representatives Bond, Gallagher and Van Luven.

Absent: Representative Armstrong.

Passed to Committee on Rules for second reading.

April 3, 1985

ESSB 3307 Prime Sponsor, Committee on Judiciary: Limiting campaign contributions. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 1, chapter 176, Laws of 1983 and RCW 42.17.105 are each amended to read as follows:

(1) Campaign treasurers shall prepare and deliver to the commission a special report regarding any contribution which:

(a) Exceeds five hundred dollars;

(b) Is from a single person or entity; and

(c) Is received ~~((before))~~ within twenty-six days of an election~~((and~~

~~(d) is received after the period covered by the last report required by RCW 42.17.080 and 42.17.090 to be filed before that election)).~~

(2) Any political committee making a contribution which exceeds five hundred dollars shall also prepare and deliver to the commission the special report if the contribution is made ~~((before))~~ within twenty-six days of an election ~~((and after the period covered by the last report required by RCW 42.17.080 and 42.17.090 to be filed before that election)).~~

(3) Except as provided in subsection (4), the special report required by this section shall be delivered in written form, including but not limited to mailgram, telegram, or nightletter. The special report required by subsection (1) shall be delivered to the commission within ~~((twenty-four))~~ forty-eight hours of the time, or on the first working day after, the contribution is received by the candidate or campaign treasurer. The special report required by subsection (2) of this section and section 2 of this 1985 act shall be delivered to the commission, and the candidate or political committee to whom the contribution is made, within twenty-four hours of the time, or on the first working day after, the contribution is made.

(4) The special report may be transmitted orally by telephone to the commission to satisfy the delivery period required by subsection (3) if the written form of the report is also mailed to the commission and postmarked within the delivery period established in subsection (3).

(5) The special report shall include at least:

(a) The amount of the contribution;

(b) The date of receipt;

(c) The name and address of the donor;

(d) The name and address of the recipient; and

(e) Any other information the commission may by rule require.

(6) Contributions reported under this section shall also be reported as required by other provisions of this chapter.

(7) The commission shall publish daily a summary of the special reports made under this section and section 2 of this 1985 act.

(8) It is unlawful for any person to make contributions reportable under RCW 42.17.090 in the aggregate exceeding three thousand dollars within twenty-six days preceding an election.

NEW SECTION, Sec. 2. A new section is added to chapter 42.17 RCW to read as follows:

Any lobbyist registered under RCW 42.17.150, any person who lobbies, and any lobbyist's employer making a contribution that exceeds five hundred dollars within the twenty-six day period immediately preceding an election shall file a special report in the manner provided under RCW 42.17.105."

Signed by Representatives Fisher, Chair; Leonard, Vice Chair; Day, Fisch, Madsen and Sommers.

MINORITY recommendation: Do not pass. Signed by Representatives Barnes, Barrett, Miller, Nealey and Walker.

Passed to Committee on Rules for second reading.

April 2, 1985

SSB 3310 Prime Sponsor, Committee on Judiciary: Facilitating election administration. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

\*Sec. 1. Section 28A.57.322, chapter 223, Laws of 1969 ex. sess. and RCW 28A.57.322 are each amended to read as follows:

Every person elected or appointed to the office of school director, before entering upon the discharge of the duties thereof, shall take an oath or affirmation to support the Constitution of the United States and the state of Washington and to faithfully discharge the duties of his office according to the best of his ability. In case any official has a written appointment or commission, his oath or affirmation shall be endorsed thereon and sworn to before any officer authorized to administer oaths. School officials are hereby authorized to administer all oaths or affirmations pertaining to their respective offices without charge or fee. All oaths of office, when properly made, shall be filed with the ~~((officer with whom declarations of candidacy for such positions are filed))~~ county auditor.

Sec. 2. Section 3, chapter 107, Laws of 1980 and RCW 29.04.040 are each amended to read as follows:

(1) No paper ballot precinct ~~((shall))~~ may contain more than three hundred voters. The county legislative authority may divide, alter, or combine precincts so that, whenever practicable, over-populated precincts shall contain no more than two hundred fifty registered voters in anticipation of future growth.

(2) Precinct boundaries may be altered at any time as long as sufficient time exists prior to a given election for the necessary procedural steps to be honored ~~((PROVIDED, HOWEVER, That))~~ Except as permitted under subsection (5) of this section, no precinct boundaries ~~((shall))~~ may be changed during the period starting ~~((as of))~~ on the thirtieth day prior to the first day for candidates to file for the primary election and ending with the day of the general election.

(3) Precincts in which voting machines or electronic voting devices are used may contain as many as nine hundred registered voters ~~((PROVIDED, That))~~ but there shall be at least one voting machine or device for each three hundred registered voters or major fraction thereof when a state primary or general election is held in an even-numbered year.

(4) On petition of twenty-five or more voters resident more than ten miles from any place of election, the county legislative authority shall establish a separate voting precinct therefor.

(5) The county auditor shall temporarily adjust precinct boundaries when a city annexes county territory to the city. The adjustment shall be made as soon as possible after the approval of the annexation. The temporary adjustment shall be limited to the minimum changes necessary to accommodate the addition of the territory to the city and shall remain in effect only until precinct boundary modifications reflecting the annexation are adopted by the county legislative authority.

The county legislative authority may establish by ordinance a limitation on the maximum number of registered voters in each precinct within its jurisdiction. The limitation may be different for precincts based upon the method of voting used for such precincts and the number may be less than the number established by law, but in no case may the number exceed that authorized by law.

If such a limitation is established by a county legislative authority, no precinct within the jurisdiction of the county may contain more registered voters than authorized in such an ordinance.

The county legislative authority of each county in the state hereafter formed shall, at their first session, divide their respective counties into election precincts with two hundred fifty voters or less and establish the boundaries of the ~~((same))~~ precincts. The county auditor shall thereupon designate the voting place for each such precinct.

Sec. 3. Section 29.13.020, chapter 9, Laws of 1965 as last amended by section 2, chapter 3, Laws of 1980 and RCW 29.13.020 are each amended to read as follows:

All city, town, and district general elections shall be held throughout the state of Washington on the first Tuesday following the first Monday in November in the odd-numbered years.

This section shall not apply to:

(1) Elections for the recall of any elective public officer~~((:));~~

(2) Public utility districts~~((:))~~ or district elections ~~((whereat))~~ at which the ownership of property within ~~((said))~~ those districts is a prerequisite to voting, all of which elections shall be held at the times prescribed in the laws specifically applicable thereto~~((:));~~

(3) Consolidation proposals as provided for in RCW 28A.57.180 and nonhigh capital fund aid proposals as provided for in chapter 28A.56 RCW.

The county auditor, as ex officio supervisor of elections, upon request in the form of a resolution of the governing body of a city, town, or district, presented to him at least forty-five days prior to the proposed election date, may, if he deems an emergency to exist, call a special election in such city, town, or district, and for the purpose of such special election he may

combine, unite, or divide precincts. A special election called by such governing body shall be held on one of the following dates as decided by the governing body:

(a) The first Tuesday after the first Monday in February;

(b) The second Tuesday in March, except that if a state-wide political party caucus by a major political party is scheduled on the second Tuesday, then a special election may not be held on such date but may be held on the third Tuesday in March (~~:(--PROVIDED HOWEVER, That in any county holding an election on the second Tuesday in March of 1980 pursuant to a home-rule charter adopted under Article XI, section 4 of the state Constitution, any city, town, or district where any portion of the registered voters of that city, town, or district reside within that charter county may hold special elections on the second Tuesday in March of 1980):~~);

(c) The first Tuesday after the first Monday in April;

(d) The third Tuesday in May;

(e) The day of the primary election as specified by RCW 29.13.070; or

(f) The first Tuesday after the first Monday in November.

In addition to (a) through (f) above, a special election to validate an excess levy or bond issue may be called at any time to meet the needs resulting from failure of a school or junior taxing district to pass a special levy or bond issue for the first time or from fire, flood, earthquake, or other act of God, except that no special election may be held between the first day for candidates to file for public office and the last day to certify the returns of the general election other than as provided in (e) and (f). Such special election shall be conducted and notice thereof given in the manner provided by law.

This section shall supersede the provisions of any and all other statutes, whether general or special in nature, having different dates for such city, town, and district elections, the purpose of this section being to establish mandatory dates for holding elections.

**NEW SECTION.** Sec. 4. A new section is added to chapter 29.13 RCW to read as follows:

For any reimbursement of election costs under RCW 29.13.047, the secretary of state shall pay interest at an annual rate equal to two percentage points in excess of the discount rate on ninety-day commercial paper in effect at the Federal Reserve Bank in San Francisco on the fifteenth day of the month immediately preceding the payment for any period of time in excess of thirty days after the receipt of a properly executed and documented voucher for such expenses and the entry of an allotment from specifically appropriated funds for this purpose under RCW 43.88.111. The secretary of state shall promptly notify any county that submits an incomplete or inaccurate voucher for reimbursement under RCW 29.13.047.

Sec. 5. Section 2, chapter 142, Laws of 1984 and RCW 29.18.025 are each amended to read as follows:

Except where otherwise provided by state law, declarations of candidacy for the following offices shall be filed during regular business hours with the secretary of state or the county auditor no earlier than the ~~((last))~~ fourth Monday in July and no later than the following Friday in the year in which the office is scheduled to be voted upon:

(1) Offices that are scheduled to be voted upon for full terms or both full terms and short terms at, or in conjunction with, a state general election; and

(2) Offices where a vacancy, other than a short term, exists that has not been filled by election and for which an election to fill the vacancy is required in conjunction with the next state general election.

Sec. 6. Section 29.21.060, chapter 9, Laws of 1965 as last amended by section 31, chapter 361, Laws of 1977 ex. sess. and RCW 29.21.060 are each amended to read as follows:

All candidates for offices to be voted on at any election in first, second, and third class cities and fourth class municipalities (towns) shall file declarations of candidacy with the county auditor not earlier than the ~~((last))~~ fourth Monday of July nor later than the next succeeding Friday in the year such regular city elections are held.

All candidates for district offices subject to the provisions of RCW 29.21.010 ~~((--as now or hereafter amended:))~~ shall file their declarations of candidacy with the county auditor of the county not earlier than the ~~((last))~~ fourth Monday of July nor later than the next succeeding Friday in the year such regular district elections are held: PROVIDED, That this chapter shall not change the method of nomination for first district officers at the formation of any district.

Any candidate for city, town, or district offices may withdraw his declaration at any time to and including the first Wednesday after the last day allowed for filing declarations of candidacy.

All candidates required to file declarations of candidacy shall pay the same fees and be governed by the same rules as contained in RCW 29.18.030 through 29.18.100 ~~((--PROVIDED: That)), but no filing fee ((shall)) may be charged ((in the event that)) if the office sought is without a fixed annual salary.~~

This section shall supersede the provisions of any and all other statutes, whether general or special in nature, having different dates for filing declarations of candidacy for such city, town, and district elections, the purpose of this section being to establish a uniform five-day period throughout the state of Washington for filing declarations of candidacy.

Sec. 7. Section 29.30.010, chapter 9, Laws of 1965 as amended by section 51, chapter 361, Laws of 1977 ex. sess. and RCW 29.30.010 are each amended to read as follows:



Every primary paper ballot shall be uniform in color and size, shall be white and printed in black ink. Each ballot shall be identified at the top with the words, 'Primary Election Ballot,' and below that, the county in which the ballot is to be used, the date of the primary, and the instruction: 'To vote for a person mark a cross in the first square at the right of the name of the person for whom you desire to vote. To vote for a person not on the ballot, write in the name of the candidate, and the party affiliation if for a partisan office, in the space provided.' Beginning at the top of the left hand column, at the left of the line shall appear the name of the position for which the names following are candidates, and to the extreme right of the same line the words, 'Vote for,' then the words 'One,' 'Two,' or a spelled number designating how many persons under that head are to be voted for. Below this shall come the names of all candidates for that position, each followed by the name of the political party, if any, with which the candidate desires to affiliate or the word 'nonpartisan', with a square to the right. Each position with the names running for that office, shall be separated from the following one by a bold line. All primary paper ballots shall be sequentially numbered, but done in such a way to permit removal of such numbers (~~by precinct election workers~~) without revealing the identity of any individual voter. There shall be no printing upon the back of the ballots nor any mark thereon to distinguish them.

Sec. 8. Section 60, chapter 361, Laws of 1977 ex. sess. as amended by section 1, chapter 121, Laws of 1982 and RCW 29.30.081 are each amended to read as follows:

(1) On the top of each general election paper ballot there shall be printed instructions directing the voters how to mark the ballot, including write-in votes. Next after the instructions and before the offices shall be placed the questions of adopting constitutional amendments or any other state measure authorized by law to be submitted to the voters of such election.

(2) The candidate or candidates of the major political party which received the highest number of votes from the electors of this state for the office of president of the United States at the last presidential election shall appear first below the office heading, the candidate or candidates of the other major political parties shall follow according to the votes cast for their nominees for president at the last presidential election, and the candidate or candidates of all other parties shall follow in the order of their qualification with the secretary of state. The candidates for nonpartisan offices shall be listed in the manner otherwise provided by law. There shall be blank spaces for writing in the name of any candidate, if desired, on the ballot.

(3) There shall be a  at the right of the name of each nominee so that a voter may clearly indicate the candidate or the candidates for whom he wishes to cast his ballot.

(4) Under the designation of the office there shall be indicated the number of candidates to such office to be voted for at such election.

(5) If the election is in a year in which a president of the United States is to be elected, the names of candidates for president and vice president for each political party shall be grouped together, each group enclosed in brackets with a single square to the right in which the voter indicates his choice.

(6) All paper ballots for general elections shall be sequentially numbered, but done in such a way to permit removal of such numbers (~~by precinct election workers~~) without leaving any identifying marks on the ballot. There shall be no printing on the back of the paper ballots nor any mark thereon to distinguish them.

Sec. 9. Section 33, chapter 361, Laws of 1977 ex. sess. and RCW 29.30.310 are each amended to read as follows:

All ballot pages for primary, general, or special elections in counties using voting devices shall be uniform in color and size, shall be white, and shall be printed in black ink. The first page shall be identified at the top with the name of the election, the county in which the ballot page is to be used, and the date of the election. On the front of the first ballot page or prominently displayed on each voting device to be used at a primary, general, or special election, there shall be printed instructions directing the voters how to properly record a vote for any candidate and for or against any measure. Beginning at the top of the left hand column, at the left of the line shall appear the name of the position for which the names to the immediate right are candidates, and below the name of the office or position the words, 'Vote for', then the words 'One', 'Two', or a spelled number designating how many persons under that head are to be voted for. Immediately to the right of the name of the office or position shall come the names of all candidates for that position, each followed by the name of the political party, if any, with which the candidate desires to affiliate or the word 'nonpartisan', with an arrow or other notation at the right edge of the ballot page indicating where the voter is to punch or otherwise mark his ballot for that candidate. Each position with the names running for that office, shall be separated from the following one by a bold line. All ballot cards for primary elections shall be sequentially numbered, but done in such a way to permit removal of such numbers (~~by precinct election workers~~) without leaving any identifying marks on the ballot. There shall be no marks on the ballot cards which would distinguish an individual voter's ballot card from other ballot cards in the same precinct.

Sec. 10. Section 67, chapter 361, Laws of 1977 ex. sess. and RCW 29.34.125 are each amended to read as follows:

(1) On the front of the first ballot page or prominently displayed on each voting device to be used at a general election, there shall be printed instructions directing the voters how to properly record a vote for any candidate and for or against any measure, including write-in votes. After the instructions and before the offices shall be placed the questions of adopting constitutional amendments or any other state measure authorized by law to be submitted to the voters of such election.

(2) All nominations of any party or group of petitioners shall be indicated by the title of such party or petitioners as designated by them in their certificate of nomination or petition, following the name of such candidate, and the name of each nominee shall be placed beside the designation of the office for which he has been nominated.

(3) There shall be an arrow or other notation at the right edge of the ballot page opposite the name of each candidate indicating where the voter is to punch or otherwise mark his ballot card for that candidate.

(4) Under the designation of the office, if more than one candidate is to be voted for there shall be indicated the number of candidates to such office to be voted for at such election.

(5) If the election is in a year in which a president of the United States is to be elected, in spaces separated from the balance of the party tickets by a heavy black line, shall be the names and spaces for voting for candidates for president and vice president. The names of candidates for president and vice president for each political party shall be grouped together, each group enclosed in brackets with a single arrow or other notation to the right.

(6) All ballot cards for general elections shall be sequentially numbered, but done in such a way to permit removal of such numbers (~~by precinct election workers~~) without leaving any identifying marks on the ballot. There shall be no printing on the back of the ballot cards nor any mark thereon to distinguish an individual voter's ballot card from other ballot cards from the same precinct.

Sec. 11. Section 29.36.010, chapter 9, Laws of 1965 as last amended by section 1, chapter 27, Laws of 1984 and RCW 29.36.010 are each amended to read as follows:

Any duly registered voter may vote an absentee ballot for any primary or election in the manner provided in this chapter.

A voter desiring to cast an absentee ballot must apply in writing to his county auditor no earlier than forty-five days nor later than the day prior to any election or primary (~~(-PROVIDED; That)~~). An application honored for a primary ballot shall also be honored as an application for a ballot for the following election if the voter so indicates on his application (~~(-PROVIDED FURTHER; That)~~). A voter admitted to a hospital no earlier than five days before a primary or election and confined to the hospital on election day may apply by messenger for an absentee ballot on the day of the primary or election if a signed statement from the hospital administrator, or designee, verifying the voter's date of admission and status as a patient in the hospital on the day of the primary or election is attached to the absentee ballot application.

Such applications must contain the voter's signature and may be made in person or by mail or messenger (~~(-PROVIDED; That)~~). Application made by mail must be sent directly to the county auditor or to the secretary of state, who shall promptly forward such applications to the appropriate county. No person, organization, or association within the state may distribute absentee ballot applications containing any return address other than that of the county auditor. No application for an absentee ballot (shall) may be approved unless the voter's signature upon the application compares favorably with the voter's signature upon his permanent registration record.

**NEW SECTION.** Sec. 12. A new section is added to chapter 29.04 RCW to read as follows:

Every person who desires to be a write-in candidate and have such votes counted at a primary or election shall, if the jurisdiction of the office sought is entirely within one county, file a declaration of candidacy with the county auditor not later than the Tuesday immediately before the primary or election. If the jurisdiction of the office sought encompasses more than one county the declaration of candidacy must be filed with the secretary of state not later than the second Tuesday before the primary or election. No person may file as a write-in candidate where:

(1) At a general election, the person attempting to file either filed as a write-in candidate for the same office at the preceding primary or the person's name appeared on the ballot for the same office at the preceding primary;

(2) The person attempting to file as a write-in candidate has already filed a valid write-in declaration for that primary or election, unless one or the other of the two filings is for the office of precinct committee person;

(3) The name of the person attempting to file already appears on the ballot as a candidate for another office, unless one of the two offices for which he or she is a candidate is precinct committee person.

The declaration of candidacy shall be similar to that required by RCW 29.18.030 and shall be accompanied by either the appropriate filing fee or a supplemental nominating petition, as required by RCW 29.18.050.

**NEW SECTION.** Sec. 13. A new section is added to chapter 29.04 RCW to read as follows:

The secretary of state shall, not later than the Friday after the last day for filing of write-in declarations with his or her office, notify each county auditor of any such filings for offices appearing on the ballot in that county. The county auditor shall ensure that those persons charged with counting the ballots for a primary or election are notified of all valid write-in candidates before the tabulation of those ballots.

Sec. 14. Section 29.36.075, chapter 9, Laws of 1965 as amended by section 1, chapter 136, Laws of 1983 and RCW 29.36.075 are each amended to read as follows:

Canvassing boards of any primary or election, including a state primary or state general election, shall not tabulate or record votes cast by absentee ballots on any uncontested office except write-in votes for candidates for the office of precinct committee person ~~(s. Write-in votes for uncontested precinct committee persons' races shall be canvassed and included with the official vote count))~~ who have filed valid declarations of candidacy under section 12 of this act. 'Uncontested office' means an office where only one candidate has filed a valid declaration of candidacy either during the regular filing period or as a write-in candidate under section 12 of this act.

Each voter casting an absentee ballot not counted as provided in this section, nevertheless, shall be credited with voting on his permanent voting history record. Further, such uncounted absentee ballots shall be retained for the same length of time and in the same manner as paper ballots cast in person as provided by RCW 29.54.070.

Sec. 15. Section 29.51.100, chapter 9, Laws of 1965 as amended by section 15, chapter 101, Laws of 1965 ex. sess. and RCW 29.51.100 are each amended to read as follows:

On receipt of his or her ballot in ~~((an))~~ a primary or a general or special election the ~~((elector))~~ voter shall forthwith and without leaving the polling place retire alone to one of the places, booths, or ~~((apartments))~~ compartments provided to prepare ~~((his))~~ and mark the ballot. ~~((Each elector shall prepare his ballot by marking a cross 'X' after the name of every person or candidate for whom he wishes to vote.))~~ Ballots shall be voted in the manner appropriate for the type of system used.

~~((In case of a ballot containing a constitutional amendment or other question to be submitted to the vote of the people the voter shall mark a cross 'X' after the question, for or against the amendment or proposition, as the case may be.))~~ Any ~~((elector))~~ voter may write ~~((in the blank spaces))~~ the name of any person for an office who has filed as a write-in candidate for the office in the manner provided by section 12 of this act for whom he or she may wish to vote ~~((: PROVIDED. That where a partisan office is concerned, the voter must not only write in the name of the candidate but also the party affiliation of such person pursuant to the provisions of RCW 29.51.170 as now or hereafter amended.))~~.

Before leaving the booth or compartment the ~~((elector))~~ voter shall fold ~~((his))~~ the ballot or ballot card or place the ballot card in the envelope provided in such a manner that the number of the ballot ~~((shall))~~ appears on the outside ~~((thereof))~~ or projects beyond the covering page or envelope end, without displaying the marks on the face ~~((thereof, and deliver it))~~ of the ballot. The voter shall then return with the ballot to the inspector of election.

Sec. 16. Section 29.51.170, chapter 9, Laws of 1965 as last amended by section 1, chapter 121, Laws of 1973 1st ex. sess. and RCW 29.51.170 are each amended to read as follows:

For any office at any election or primary, any voter may write in on the ballot the name of any person ~~((for whom he desires to vote for any office))~~ who has filed as a write-in candidate for that office in the manner provided by section 12 of this act, and such vote shall be counted the same as if the name had been printed on the ballot and marked by the voter ~~((: PROVIDED. That no write-in vote for a partisan office at a general election shall be valid for any person who has offered himself as a candidate for such position for the nomination at the preceding primary. PROVIDED. FURTHER. That when voting machines or voting devices and ballot cards are used, no write-in vote for any candidate for a partisan office at either a state primary election or state general election shall be valid unless a political party affiliation is also written by the voter after the candidate's name. AND PROVIDED FURTHER. That in the instance of a write-in candidate for a partisan office only those write-in votes constituting the greatest number of a single political party designation shall be valid for counting purposes when the canvassing authority certifies the official election returns. The same procedure must be followed when paper ballots are used for partisan offices at a state primary election. For such write-in voting, it shall not be necessary for a voter to write the full name of the political party concerned. Any abbreviation including the first letter of the political party name shall be acceptable as long as the precinct election officers can determine to their satisfaction the person voted for and the political party intended.))~~.

Any person who is nominated at any primary election as a write-in candidate for any public office but who has not previously paid the regular filing fee shall not have his name printed on the official ballot for the general election unless, within five days after the official canvass of the primary vote, he executes a declaration of candidacy and pays the same fee required by law to be paid by candidates for filing for the office for which he has been nominated).

Sec. 17. Section 29.51.110, chapter 9, Laws of 1965 as amended by section 43, chapter 202, Laws of 1971 ex. sess. and RCW 29.51.110 are each amended to read as follows:

Upon delivery of each ballot after being marked and folded by a voter, the inspector ~~((in an audible tone shall repeat the name of the voter and the number of the ballot. The election clerks having in charge the registration cards and poll books or precinct lists of registered voters, if they find that the number marked opposite the voter's name thereon corresponds with the number of the ballot handed to the inspector, shall mark the word "voted" or check a spot so designated opposite the name of such voter and one of the clerks shall call back in an audible tone the name of the voter and the number of his ballot. The inspector))~~ shall ~~((then))~~ separate the slip containing the number of the ballot from the ballot and shall deposit the ballot in the ballot box. ~~((The numbers removed from the ballots shall be destroyed immediately.))~~ The inspector shall, however, permit any voter expressing a desire to separate his or her own slip or to deposit his or her own ballot, or both, to do so. Any voter detaching or separating the number slip must return that slip to the inspector.

Sec. 18. Section 35.23.190, chapter 7, Laws of 1965 and RCW 35.23.190 are each amended to read as follows:

Before entering upon his duties and within ten days after receiving notice of his election or appointment every officer of the city shall qualify by taking the oath of office and by filing such bond duly approved as may be required of him. The oath of office shall be filed with the county auditor. If no notice of election or appointment was received, the officer must qualify on or before the date fixed for the assumption by him of the duties of the office to which he was elected or appointed. The city council shall fix the amount of all official bonds and may designate what officers shall be required to give bonds in addition to those required to do so by statute.

The clerk, treasurer, city attorney, chief of police, police judge and street commissioner shall each execute an official bond in such penal sum as the city council by ordinance may determine, conditioned for the faithful performance of their duties, including in the same bond the duties of all offices of which he is the ex officio incumbent.

All official bonds shall be approved by the city council and when so approved shall be filed with the city clerk except the city clerk's which shall be filed with the mayor. No city officer shall be eligible as a surety upon any bond running to the city as obligee.

The city council may require a new or additional bond of any officer whenever it deems it expedient.

Sec. 19. Section 35.24.080, chapter 7, Laws of 1965 and RCW 35.24.080 are each amended to read as follows:

In a city of the third class, the treasurer, city attorney, clerk, police judge, chief of police, and such other officers as the council may require shall each, before entering upon the duties of his office, take an oath of office and execute and file with the clerk an official bond in such penal sum as the council shall determine, conditioned for the faithful performance of his duties and otherwise conditioned as may be provided by ordinance. The oath of office shall be filed with the county auditor.

Sec. 20. Section 35.27.120, chapter 7, Laws of 1965 and RCW 35.27.120 are each amended to read as follows:

Every officer of a town before entering upon the duties of his office shall take and file with the ~~((town clerk))~~ county auditor his oath of office. The clerk, treasurer, and marshal before entering upon their respective duties shall also each execute a bond approved by the council in such penal sum as the council by ordinance may determine, conditioned for the faithful performance of his duties including in the same bond the duties of all offices of which he is made ex officio incumbent.

All bonds, when approved, shall be filed with the town clerk, except the bonds of the clerk which shall be filed with the mayor.

Sec. 21. Section 35A.12.080, chapter 119, Laws of 1967 ex. sess. and RCW 35A.12.080 are each amended to read as follows:

Any officer before entering upon the performance of his duties may be required to take an oath or affirmation as prescribed by charter or by ordinance for the faithful performance of his duties. The oath or affirmation shall be filed with the county auditor. The clerk, treasurer, if any, chief of police, and such other officers or employees as may be designated by ordinance or by charter shall be required to furnish annually an official bond conditioned on the honest and faithful performance of their official duties. The terms and penalty of official bonds and the surety therefor shall be prescribed by ordinance or charter and the bond shall be approved by the chief administrative officer of the city. The premiums on such bonds shall be paid by the city. When the furnishing of an official bond is required of an officer or employee, compliance with such provisions shall be an essential part of qualification for office.

Sec. 22. Section 35A.29.110, chapter 119, Laws of 1967 ex. sess. as last amended by section 30, chapter 18, Laws of 1979 ex. sess. and RCW 35A.29.110 are each amended to read as follows:

A candidate for office in a code city shall file a declaration of candidacy substantially in the form set forth in RCW 29.18.030 insofar as such form is applicable to nonpartisan offices. Declarations of candidacy for offices of code cities to be voted upon at any municipal general election shall be filed with the county auditor not earlier than the ~~((last))~~ fourth Monday of July

nor later than the next succeeding Friday in the year such general election is to be held(~~PROVIDED-That~~)). However, if the first election of all officers upon reorganization as a non-charter code city under a plan of government newly adopted in the manner provided in RCW 35A.02.020, 35A.02.030, 35A.02.080, or 35A.06.030(~~(-as now or hereafter amended)~~)) is an election as provided in RCW 35A.02.050 (~~(as now or hereafter amended)~~), such declarations of candidacy shall be filed with the county auditor not more than fifty nor less than forty-six days prior to the primary election provided for in RCW 35A.02.050 (~~(as amended)~~). Any candidate may withdraw his declaration at any time, but not later than five days after the last day allowed for filing declarations of candidacy. Nominating petitions for charter commissioners and for any other office for which nominating petitions may be required shall be filed with the county auditor not more than sixty nor less than forty-six days prior to the date of the election, and may be withdrawn at any time, but not later than five days after the last day allowed for filing such petitions.

Sec. 23. Section 29, chapter 34, Laws of 1939 as amended by section 34, chapter 230, Laws of 1984 and RCW 52.14.070 are each amended to read as follows:

Before beginning the duties of office, each fire commissioner shall take and subscribe the official oath for the faithful discharge of the duties of office as required by RCW 29.01.135, which oath shall be filed in the office of the ~~((clerk of the superior court in))~~ auditor of the county in which the district is situated.

Sec. 24. Section 10, chapter 265, Laws of 1959 and RCW 54.12.100 are each amended to read as follows:

Each commissioner before he enters upon the duties of his office shall take and subscribe an oath or affirmation that he will faithfully and impartially discharge the duties of his office to the best of his ability. This oath, or affirmation, shall be administered and certified by an officer of the county in which the district is situated, who is authorized to administer oaths, without charge therefor. The oath or affirmation shall be filed with the county auditor.

Sec. 25. Section 18, chapter 6, Laws of 1947 and RCW 68.16.180 are each amended to read as follows:

Each cemetery commissioner, before assuming the duties of his office, shall take and subscribe an official oath to faithfully discharge the duties of his office, which oath shall be filed in the office of the county ~~((clerk))~~ auditor.

NEW SECTION, Sec. 26. The names of all candidates for partisan office and for all judicial offices except district court judge shall be rotated in each precinct in the manner specified by RCW 29.30.040, 29.30.340, and 29.30.440. The order of names of candidates for such offices on sample ballots and on absentee ballots in primaries shall be determined in the following manner:

(1) After the close of business on the first day for candidates to file for office, the officer with whom declarations of candidacy are filed shall, from among those filings made in person and by mail in accordance with section 27(2) of this act, determine by lot the order in which the names of those candidates shall appear on the sample and absentee ballots under the appropriate office heading. The determination shall be done publicly, and may be witnessed by the media and by any candidate desiring to do so.

(2) The names of candidates filing for office after the first day of the filing period, including those candidates filing by mail in accordance with section 27(3) of this act, shall be placed upon sample and absentee ballots in the order in which the declarations of candidacy are received by the filing officer.

(3) For the purposes of this section and section 27 of this act, 'filing officer' means the officer with whom declarations of candidacy for an office must be filed.

NEW SECTION, Sec. 27. Any candidate may mail his or her declaration of candidacy for an office to the filing officer. Such declarations of candidacy shall be processed by the filing officer in the following manner:

(1) Any declaration received by the filing officer by mail before the tenth business day immediately preceding the first day for candidates to file for office shall be returned to the candidate submitting it, together with a notification that the declaration of candidacy was received too early to be processed. The candidate shall then be permitted to resubmit his or her declaration of candidacy during the filing period.

(2) Any properly executed declaration of candidacy received by mail on or after the tenth business day immediately preceding the first day for candidates to file for office and before the close of business on the first day of the filing period shall be included with filings made in person on that first day. In partisan and judicial elections other than for district court judge, the filing officer shall determine by lot the order in which the names of those candidates shall appear upon sample and absentee primary ballots.

(3) Any properly executed declarations of candidacy received by mail after the close of business on the first day for candidates to file for office and before the close of business on the last day for candidates to file shall be filed in the order in which they are received by the filing officer.

(4) Any declaration of candidacy received by the filing officer after the close of business on the last day for candidates to file for office shall be rejected and returned to the candidate attempting to file it.

Sec. 28. Section 29.30.060, chapter 9, Laws of 1965 as amended by section 55, chapter 361, Laws of 1977 ex. sess. and RCW 29.30.060 are each amended to read as follows:

In counties or portions of counties using paper ballots, on or before the fifteenth day before a primary or an election, the county auditor shall prepare a sample paper ballot which he shall display in a conspicuous place in his office for public inspection. Sample paper ballots shall be substantially in the same form as the official paper ballots but upon colored paper(~~(and~~)). The names of the candidates in the primary for each office shall be arranged ((thereon)) on the sample ballot in the order provided by sections 26 and 27 of this act, and the names of candidates in the general election for each office shall be in the order in which their ((declarations of candidacy were filed)) names appear on the official ballot, as provided in RCW 29.30.081(2), except that the position of precinct committeeman shall be shown on the general election sample ballot only by a listing of the position itself, and the names of candidates therefor need not be shown.

Sec. 29. Section 37, chapter 361, Laws of 1977 ex. sess. and RCW 29.30.350 are each amended to read as follows:

In counties or portions of counties using absentee ballots designed to be tabulated on a vote tallying system, on or before the fifteenth day before a primary or an election, the county auditor shall prepare sample ballots which he shall display in a conspicuous place in his office for public inspection. Sample ballots shall be substantially in the same form as the official ballot pages but the names of the candidates in the primary for each office shall be arranged ((thereon)) on the sample ballot in the order provided by sections 26 and 27 of this act, and the names of candidates in the general election for each office shall be arranged in the order in which their ((declarations of candidacy were filed)) names appear on the official ballot, as provided in RCW 29.30.380, except that the position of precinct committeeman shall be shown on the general election sample ballot only by a listing of the position itself, and the names of candidates therefor need not be shown.

Sec. 30. Section 46, chapter 361, Laws of 1977 ex. sess. and RCW 29.30.450 are each amended to read as follows:

In counties or portions of counties using voting machines, on or before the fifteenth day before a primary or an election, the county auditor shall prepare a voting machine diagram which he shall display in a conspicuous place in his office for public inspection. Voting machine diagrams shall be substantially in the same form as the official ballot labels, but the names of the candidates in the primary for each office shall be arranged ((thereon)) on the diagram in the order provided by sections 26 and 27 of this act, and the names of candidates in the general election for each office shall be arranged in the order in which their ((declarations of candidacy were filed)) names appear on the official ballot labels as provided in RCW 29.30.480(2), except that the position of precinct committeeman shall be shown on the general election voting machine diagram only by a listing of the position itself, and the names of candidates therefor need not be shown. Voting machine diagrams shall also include instructions for write-in voting.

NEW SECTION. Sec. 31. Sections 26 and 27 of this act shall be added to chapter 29.18 RCW.

NEW SECTION. Sec. 32. The following acts or parts of acts are each repealed:

(1) Section 29.51.090, chapter 9, Laws of 1965 and RCW 29.51.090; and

(2) Section 95, chapter 361, Laws of 1977 ex. sess. and RCW 29.54.180.

NEW SECTION. Sec. 33. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

On page 1, line 1 of the title, after "elections;" strike the remainder of the title and insert "amending RCW 28A.57.322, 29.04.040, 29.13.020, 29.18.025, 29.21.060, 29.30.010, 29.30.081, 29.30.310, 29.34.125, 29.36.010, 29.36.075, 29.51.100, 29.51.170, 29.51.110, 35.23.190, 35.24.080, 35.27.120, 35A.12.080, 35A.29.110, 52.14.070, 54.12.100, 68.16.180, 29.30.060, 29.30.350, and 29.30.450; adding new sections to chapter 29.04 RCW; adding a new section to chapter 29.13 RCW; adding new sections to chapter 29.18 RCW; and repealing RCW 29.51.090 and 29.54.180."

Signed by Representatives Fisher, Chair; Leonard, Vice Chair; Barnes, Barrett, Day, Fisch, Madsen, Miller, Nealey, Sommers and Walker.

Absent: Representatives Barrett and Miller.

Passed to Committee on Rules for second reading.

April 2, 1985

ESB 3314

Prime Sponsor, Senator Halsan: Modifying provisions relating to methods of fishing for game fish. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 14 after "lakes" strike all material through "fisheries" on line 17 and insert "except that the commission may adopt rules and regulations restricting fishing methods upon a determination by the director that an individual body of water or part thereof clearly requires a fishing method prohibition to conserve or enhance the fisheries resource or to provide selected fishing alternatives"

Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Basich, Fuhrman, Hankins, Hargrove, Haugen, Leonard, Lundquist, McMullen, Sanders, van Dyke and S. Wilson.

Voting nay: Representatives Belcher, Cole, Dobbs, D. Nelson, Sayan and Thomas.

Absent: Representative J. Williams.

Passed to Committee on Rules for second reading.

April 3, 1985

SB 3322 Prime Sponsor, Senator Gaspard: Increasing members of the boards of regents of the state universities. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Sommers, Chair; Jacobsen, Vice Chair; Allen, Basich, Belcher, Hastings, D. Nelson, G. Nelson, Prince, Silver, Unsoeld, Vander Stoep and Wineberry.

Voting nay: Representative K. Wilson.

Absent: Representatives Miller and D. Nelson.

Passed to Committee on Rules for second reading.

April 1, 1985

ESSB 3333 Prime Sponsor, Committee on Commerce & Labor: Regulating motorcycle dealers' franchises. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. This chapter shall be known as the motorcycle dealers' franchise act.

NEW SECTION. Sec. 2. The legislature recognizes it is in the best public interest for manufacturers and dealers of motorcycles to conduct business with each other in a fair, efficient, and competitive manner. The legislature declares the public interest is best served by dealers being assured of the ability to manage their business enterprises under a contractual obligation with manufacturers where dealers do not experience unreasonable interference, receive adequate allocations of merchandise in a timely manner at competitive prices, and transfer ownership of their business without undue constraints. It is the intent of the legislature to impose a regulatory scheme and to regulate competition in the motorcycle industry to the extent necessary to balance fairness and efficiency. These actions will assure the public that motorcycle dealers will devote their best competitive efforts and resources to the sale and service of the manufacturer's products which the dealer has been granted the right to sell and service.

NEW SECTION. Sec. 3. As used in this chapter:

(1) 'Department' means the department of licensing.

(2) 'Designated family member' means (a) an heir as defined in RCW 11.02.005(6) if the motorcycle dealer dies intestate or (b) a legatee or devisee as used in Title 11 RCW if the deceased motorcycle dealer leaves a will. A motorcycle dealer also may name in a notarized statement any person as the designated family member for the purposes of receiving an interest in the motorcycle dealership. Title 11 RCW applies to this chapter. However, in cases of conflict, the notarized inter vivos designation prevails over testamentary and intestate succession. Notarized inter vivos designations under this subsection are not codicils to wills.

(3) 'Distributor' means a person, whether a resident or nonresident, other than a manufacturer, who sells, leases, or distributes motorcycles to motorcycle dealers, or controls any other person, other than a manufacturer, who sells, leases, or distributes motorcycles to motorcycle dealers.

(4) 'Distributor branch' means a branch office maintained by the distributor or wholesaler.

(5) 'Distributor representative' means a representative employed by a distributor or wholesaler for the purpose of selling or promoting the sale or lease of the distributor's or wholesaler's motorcycles to motorcycle dealers, or for the purpose of supervising or contacting dealers.

(6) 'Factory branch' means a branch office maintained by a manufacturer in order to direct and supervise the representatives of the manufacturer.

(7) 'Factory representative' means a person employed by a manufacturer for the purpose of making or promoting the sale or lease of the manufacturer's motorcycles to dealers, distributors, or prospective motorcycle dealers.

(8) 'Franchise' means an oral or written contract, to include a dealer agreement, either expressed or implied, between a franchisor and a motorcycle dealer which purports to fix the legal rights and liabilities between the parties and under which (a) the dealer is granted the right to purchase and resell motorcycles manufactured, distributed, or imported by the franchisor; (b) the dealer's business is associated with the trademark, trade name, commercial symbol, or advertisement designating the franchisor or the products distributed by the franchisor; and (c) the dealer's business relies on the franchisor for a continued supply of motorcycles, parts, and accessories.

(9) 'Franchisor' means any person who enters into a franchise with a motorcycle dealer.

(10) 'Manufacturer' means any person, firm, association, corporation, or trust that manufactures or provides assemblies for motorcycles.

(11) 'Motorcycle' means any motor vehicle which has an unladen weight of less than five hundred pounds, including any parts, accessories, equipment, or special tools designated or intended for use on or with those motor vehicles, and (a) which is self-propelled and capable of use and operation on the public highways and streets; or (b) which is a self-propelled, off-road vehicle, tired or nontired, capable of transporting individuals on or off public highways and streets. 'Motorcycle' excludes farm tractors, golf carts, firefighting equipment, any motor vehicle designed solely for industrial purposes, and lawnmowers.

(12) 'Motorcycle dealer' or 'dealer' means a person operating under a dealer agreement or franchise with a franchisor who is engaged regularly in the business of buying, selling, exchanging, offering, brokering, or leasing with an option to purchase new or used motorcycles in the state, with a place of business in the state.

(13) 'New motorcycle' means a motorcycle that has been sold or transferred to a motorcycle dealer and that has not been used for other than demonstration purposes, and on which the original title has not been issued from the motorcycle dealer. The term includes motorcycles not of the current model year comprising part of the dealer's inventory.

(14) 'Person' means any natural person, partnership, stock company, corporation, trust, agency, or other legal entity, as well as any individual officers, directors, or other persons in active control of the activities of the entity.

(15) 'Place of business' means a permanent, enclosed commercial building, situated within the state, and the real property on which it is located, at which the business of a motorcycle dealer, including the display and repair of motorcycles, may be lawfully conducted in accordance with the terms of all applicable laws and in the building the public may contact the motorcycle dealer or his or her employees at all reasonable times.

(16) 'Relevant market area' means a ten-mile radius around a proposed place of business.

**NEW SECTION.** Sec. 4. Acts or conduct described in this section constitute prohibited trade practices that cannot be waived. It is a prohibited trade practice for a franchisor or its manufacturers, distributors, subsidiaries, or other agents:

(1) To require, coerce or attempt to require, or coerce, either directly or indirectly, any motorcycle dealer to:

(a) Accept, buy, or order any motorcycle, part or accessory, or any other commodity or service not voluntarily ordered, or requested, or to buy, order, or pay anything of value for such items in order to obtain any motorcycle part, accessory, or other commodity which has been voluntarily ordered or requested;

(b) Order or accept delivery of any motorcycle with special features, accessories, or equipment not included in the list price of the motorcycle as advertised by the manufacturer, except items which have been voluntarily requested or ordered by the dealer, and except items required by law;

(c) Enter into any agreement or understanding resulting in a reduction of the dealer's allocation of motorcycles for reasons other than reduced production levels causing uniformly and proportionally applied reductions to all dealers;

(d) Enter into any agreement or sales promotion program by threatening to terminate the franchise of the dealer;

(e) Refrain from participation in the management, investment, acquisition, or sale of any other related product or product line of motor vehicles, parts, or accessories;

(f) Enter into any agreement violating this chapter; or

(g) Enter into an agreement by which the franchisor, manufacturer, factory branch, factory representative, distributor, distributor branch, or distributor representative can directly solicit the dealer's customers.

(2) To terminate, refuse to renew, fail to extend, or fail to renew any franchise without good cause. Good cause includes but is not limited to:

(a) The amount of business transacted by the dealer as compared to the amount of business available to the dealer;



(b) The investment necessarily made and obligations necessarily incurred by the dealer in the performance of the franchise;

(c) The degree of the dealer's investment, including but not limited to the dealer's purchase or lease of real property for the dealership, the training given to the dealer's employees, and the amount of equipment purchased for the dealership;

(d) The adequacy of the dealer's new motorcycle sales and service facilities, equipment, and parts;

(e) The qualifications and performance of the management, sales, and service personnel to provide the consumer with reasonably good service and care of new motorcycles;

(f) The failure of the dealer to substantially comply in good faith with the reasonable requirements of the franchise;

(g) The adequacy of the franchisor's actual quantities delivered of motorcycles, parts, and accessories compared to quantities promised by the franchisor;

(h) The effect on the retail motorcycle business and the consuming public in the dealer's market area;

(i) Whether the dealer has exercised prudent business judgment.

The dealer shall be notified, in writing, not less than ninety days before termination or nonrenewal with reasons for the actions. If the termination or nonrenewal is based on termination or discontinuance of the product line, the dealer shall be notified not less than one hundred eighty days prior to termination or nonrenewal. All existing franchises shall continue operation under a newly appointed distributor upon the termination of an existing distributor unless a mutual agreement of termination is filed between the new distributor and the affected dealer.

(3) To require a change in capital structure, or means of financing, if the dealer at all times meets the reasonable, written, and uniformly applied capital standards determined by the manufacturer, franchisor, or distributor;

(4) To prevent or attempt to prevent a dealer from making reasonable changes in the capital structure of a dealership or the means by which the dealership is financed if the dealer meets the reasonable, written, and uniformly applied capital requirements determined by the manufacturer, franchisor, or distributor;

(5) To unreasonably require a change in the location of the dealership or any substantial alterations to the place of business;

(6) To condition renewal or extension of the franchise on substantial renovation of the existing place of business or on the construction, purchase, acquisition, or lease of a new place of business unless written notice is first provided one hundred eighty days prior to the date of renewal or extension and the franchisor demonstrates the reasonableness of the requested actions. The franchisor shall agree to supply the dealer with an adequate quantity of motorcycles, parts, and accessories to meet the sales level necessary to support the overhead resulting from substantial renovation, construction, acquisition, or lease of a new place of business;

(7) To adopt, establish, or implement a plan or system, or to modify an existing plan or system, for the distribution or allocation of motorcycles which is arbitrary, in bad faith, or unconscionable and which damages the dealer or the dealer's customers;

(8) To fail or refuse to disclose to the dealer, after written request, the basis upon which new motorcycles of the same line are currently or will in the future be allocated or distributed to dealers;

(9) To fail or refuse to disclose to dealers, after written request, the total number of new motorcycles of a given model which the manufacturer, franchisor, or distributor has sold during the current model year within the dealer's marketing district, zone, or region;

(10) To refuse or fail to deliver any motorcycle, part, or accessory in reasonable quantities, and within a reasonable time after receipt of the order from the dealer, that is specifically advertised as being immediately available. It is not a prohibited trade practice when the failure to deliver is caused by an act of God, strike, material shortage, or other cause over which the manufacturer, distributor, or franchisor has no control;

(11) To offer a renewal, replacement, or succeeding franchise containing terms substantially modifying the sales and service obligations or capital requirements of the motorcycle dealer, other than as provided for in this chapter;

(12) To sell or lease or offer to sell or lease to a dealer a new motorcycle, including any motorcycle under a sales promotion plan, at a lower price than offered or sold to another similarly situated dealer for the same model, except where the dealer is offered, sold, or leased a new motorcycle at a discount in exchange for providing valuable services to the franchisor, manufacturer, or distributor and except in those instances where a dealer orders motorcycles in sufficient numbers to qualify for volume discounts and as long as discounts are available to all dealers;

(13) To prevent, attempt to prevent, or unreasonably disapprove any motorcycle dealer from changing executive management control of the dealer's motorcycle business, unless the change results in control by a person not of good moral character or who does not meet the manufacturer, distributor, or franchisor's existing and reasonable, written, and uniformly applied capital standards. The dealer shall be given written notice of the reasons for rejection within thirty days of receipt of notice from the dealer of a proposed change;

(14) To reject, prevent, or attempt to prevent any person from selling or transferring a controlling interest to any other person unless the buyer or transferee does not qualify under appropriate state law as a licensed dealer, is not of good moral character, does not meet the manufacturer, distributor, or franchisor's existing and reasonable, written, and uniformly applied capital standards, or does not meet the written and uniformly applied manufacturer, distributor, or franchisor business experience standards for the market area. The dealer shall be given written notice setting forth the reasons for rejection of the proposed sale or transfer within thirty days of notice by the dealer of the sale or transfer;

(15) To fail to hold harmless and indemnify any motorcycle dealer against losses, including lawsuits and court costs, arising from: (a) The manufacture or performance of any motorcycle, part, or accessory if the lawsuit involves representations by the manufacturer, distributor, or franchisor on the manufacture or performance of a motorcycle without negligence on the part of the motorcycle dealer; (b) damage to merchandise in transit where the manufacturer, distributor, or franchisor specifies the carrier; (c) the manufacturer, distributor, or franchisor's failure to jointly defend product liability suits concerning the motorcycle, part, or accessory provided to the dealer; or (d) any other act performed by the manufacturer, distributor, or franchisor;

(16) To unfairly prevent or attempt to prevent a motorcycle dealer from receiving reasonable compensation for the value of a motorcycle;

(17) To release confidential information provided by the motorcycle dealer to the manufacturer, distributor, or franchisor without the written prior consent of the dealer;

(18) To fail to pay to a motorcycle dealer, within a reasonable time following receipt of a valid claim, any payment agreed to be made by the manufacturer, distributor, or franchisor on grounds that a new motorcycle, or a prior year's model, is in the dealer's inventory at the time of introduction of new model motorcycles;

(19) To deny any dealer the right of free association with any other dealer for any lawful purpose;

(20) To artificially and intentionally create a shortage of any motorcycle make, model, or series that results in the inequitable distribution of the make, model, or series to dealers;

(21) To charge increased prices without having given written notice to the dealers at least fifteen days prior to the effective date of the price increases;

(22) To permit factory authorized warranty service to be performed upon motorcycles or accessories by persons other than their franchised motorcycle dealers;

(23) To unreasonably interfere with a dealer's performance under the franchise agreement's sale quota by withholding sufficient deliveries of motorcycles; or

(24) To own, operate, or control any motorcycle dealer or place of business selling at retail in the state.

NEW SECTION. Sec. 5. (1) The manufacturer, distributor, or franchisor shall not prevent, attempt to prevent, refuse to give effect to, attempt to refuse to give effect to, or in any way hinder the succession to the ownership, management, control, or continuance of a dealer's motorcycle business by a designated family member upon the death or incapacity of the dealer, except as otherwise provided in this chapter.

(2) A designated family member, at his or her discretion, may succeed the dealer in ownership or management control under the existing agreement. The designated family member shall provide notice to the franchisor, in writing, of the intention to succeed to the franchise within one hundred twenty days after the dealer's death or incapacity. The designated family member shall agree to be bound by the terms of the original franchise. The designated family member shall meet the reasonable, written, and uniformly applied conditions applied by the franchisor under the existing franchise.

(3) A designated family member may only be rejected for succession on reasonable grounds. The franchisor shall provide written notice to the designated family member within sixty days of receipt of notice of the intention to succeed. The notice shall state the specific grounds for refusal, termination, or nonrenewal of the franchise and shall not take effect less than ninety days after receipt of the notice by the designated family member. If notice is not served within the designated time period, the franchise shall continue in effect with the designated family member.

(4) The designated family member may appeal to the appropriate court within ninety days of receipt of notice of refusal, termination, or nonrenewal. The franchisor has the burden of proving reasonable grounds. A designated family member prevailing in such action shall recover reasonable costs and attorney's fees.

(5) A dealer may designate any person as the recipient of the franchise by making a notarized statement in accordance with section 3(2) of this act. The statement shall be filed with the franchisor. The statement shall be controlling and binding on all heirs and testamentary successors. The recipient shall agree to be bound by the terms of the original franchise. The recipient shall meet the reasonable, written, and uniformly applied conditions applied by the franchisor under the existing franchise.

NEW SECTION. Sec. 6. (1) A person desiring to enter into a franchise establishing or relocating a motorcycle dealer shall notify, in writing, each existing franchised dealer of the same

manufacturer, distributor, or franchisor, in the relevant market area of its intention to establish or relocate a dealer. Within one hundred twenty days of receiving the notice, or within one hundred twenty days after the end of any appeal period procedure provided by the person, whichever is later, any existing franchised dealer to whom the person is required to give notice under this subsection may file an action in the superior court of the county in which the existing franchise dealer's place of business is located, challenging the proposed establishment or relocation of the dealership within the relevant market area.

(2) Authority to enter into a franchise establishing or relocating a dealer shall only be granted by the manufacturer, distributor, or franchisor proving just cause. Just cause includes but is not limited to:

(a) The amount of business transacted by existing dealers when compared with the amount of business available to them;

(b) The degree of the dealer's investment, including but not limited to the dealer's purchase or lease of real property for the dealership, the training given to the dealer's employees, and the amount of equipment purchased for the dealership;

(c) The effect of the proposed franchise on the retail motorcycle business in the relevant market area;

(d) Whether it is injurious to the public welfare for the proposed dealer to be established or relocated;

(e) Whether the existing dealers are providing adequate customer care for the motorcycles sold, including the adequacy of motorcycle service facilities;

(f) Whether the existing dealers are receiving vehicles and parts in quantities promised by the manufacturer, factory branch, distributor, or franchisor, and on what volume of promised quantities existing dealers based their investment and scope of operations;

(g) The effect on the retail motorcycle business and the consuming public in the relevant market area; and

(h) Injury to the public welfare if the proposed establishment or relocation is allowed.

For the purposes of this subsection, the reopening of a dealer's place of business that has been closed for less than six months at the original location is not the establishment or relocation of a dealer.

(3) Except for test marketing, a franchisor shall offer a new motorcycle model, line, or product for resale to all dealers and require that all similarly situated dealers meet the same conditions for marketing the new model, line, or product.

(4) Each new or renewed franchise with an individual franchisor, occurring on or after the effective date of this act, shall include all motorcycle models, types, or products which are under separate franchises between that individual franchisor and dealer.

NEW SECTION. Sec. 7. (1) Upon the termination or nonrenewal of a franchise, the dealer shall be paid fair and reasonable compensation by the franchisor for:

(a) All new motorcycle inventory, including new motorcycles not of the current model year, purchased from the manufacturer, distributor, or franchisor that has not been materially altered, damaged, or driven more than fifty miles;

(b) All new, rebuilt, or used parts and accessories received from the manufacturer, distributor, or franchisor;

(c) Equipment, furnishings, and signs purchased from the manufacturer, distributor, or franchisor; and

(d) Special tools purchased from the manufacturer, distributor, or franchisor.

Compensation shall not be less than the current prices charged by the manufacturer, distributor, or franchisor for the new, rebuilt, or used items specified in (a) and (b) of this subsection or the fair market value for items specified in (c) and (d) of this subsection.

(2) In the event of termination or nonrenewal of the franchise by the franchisor without good cause, the franchisor shall pay the dealer, at the dealer's election, fair and reasonable compensation for the value of the dealership within six months of the effective date of the termination or nonrenewal. Compensation shall include, but not exclusively, all items listed in subsection (1) of this section, any real and personal property associated with the place of business, and business good will. The dealer has a responsibility to mitigate damages.

(3) Subsections (1) and (2) of this section do not apply if the dealer has acted illegally or fraudulently in the procurement of the franchise, or has acted illegally or fraudulently in the operation of the franchise.

NEW SECTION. Sec. 8. (1) The manufacturer, distributor, or franchisor shall compensate the dealer for labor, parts, and other expenses incurred to comply with the manufacturer, distributor, or franchisor's warranty agreements, and for work and services performed in connection with delivery and preparation of motorcycles received from the manufacturer, distributor, or franchisor. The compensation shall not be less than the rates reasonably charged by the dealer for like services and parts to retail customers.

(2) All claims for compensation made by the dealer shall be paid within thirty days after approval and shall be approved or disapproved within thirty days of their receipt by the manufacturer, distributor, or franchisor. Any denial of claim shall be in writing and shall set forth the specific grounds for denial.

(3) A claim that has been approved and paid shall not be charged back to the dealer unless it is established the claim was false or fraudulent, that the repairs were not properly made or were unnecessary to correct the defective condition, or the dealer failed to reasonably substantiate the claim.

**NEW SECTION.** Sec. 9. No manufacturer, distributor, or franchisor shall require or coerce any dealer to sell, assign, or transfer a retail sales installment contract, or require the dealer to act as an agent for any manufacturer, distributor, or franchisor in the securing of a promissory note, a security agreement given in connection with the sale of a motorcycle, or securing of a policy of insurance for a motorcycle. The manufacturer, distributor, or franchisor may not condition delivery of motorcycles, parts, or accessories upon the dealer's assignment, sale, or other transfer of sales installment contracts to specific finance companies.

**NEW SECTION.** Sec. 10. Any person injured by a violation of this chapter may bring a civil action in a court of competent jurisdiction to enjoin further violations or to recover damages. Injunctive relief may be granted in an action brought under this chapter without the dealer being required to post a bond if, in the opinion of the court, there exists a likelihood the dealer may prevail upon the merits.

**NEW SECTION.** Sec. 11. Except as otherwise provided in this chapter, any civil action under this chapter shall be brought within four years after discovery by the aggrieved party of the facts constituting a violation of this chapter.

Sec. 12. Section 11, chapter 74, Laws of 1967 ex. sess. as last amended by section 5, chapter 152, Laws of 1981 and RCW 46.70.101 are each amended to read as follows:

The director may by order deny, suspend, or revoke the license of any vehicle dealer, vehicle manufacturer, or vehicle salesman or, in lieu thereof or in addition thereto, may by order assess monetary penalties of a civil nature not to exceed one thousand dollars per violation, if he finds that the order is in the public interest and that the applicant or licensee:

(1) In the case of a vehicle dealer:

(a) The applicant or licensee, or any partner, officer, director, owner of ten percent or more of the assets of the firm, or managing employee:

(i) Was the holder of a license issued pursuant to this chapter, which was revoked for cause and never reissued by the department, or which license was suspended for cause and the terms of the suspension have not been fulfilled, or which license was assessed a civil penalty and the assessed amount has not been paid;

(ii) Has been adjudged guilty of a crime which directly relates to the business of a vehicle dealer and the time elapsed since the adjudication is less than ten years, or suffering any judgment within the preceding five years in any civil action involving fraud, misrepresentation, or conversion. For the purposes of this section, adjudged guilty shall mean in addition to a final conviction in either a state or municipal court, an unvacated forfeiture of bail or collateral deposited to secure a defendant's appearance in court, the payment of a fine, a plea of guilty, or a finding of guilt regardless of whether the sentence is deferred or the penalty is suspended;

(iii) Has knowingly or with reason to know made a false statement of a material fact in his application for license or any data attached thereto, or in any matter under investigation by the department;

(iv) Does not have an established place of business as defined in this chapter;

(v) Employs an unlicensed salesman or one whose license has been denied, revoked within the last year, or is currently suspended, the terms of which have not been fulfilled;

(vi) Refuses to allow representatives or agents of the department to inspect during normal business hours all books, records, and files maintained within this state;

(vii) Sells, exchanges, offers, brokers, auctions, solicits, or advertises a new or current model vehicle to which a factory new vehicle warranty attaches and fails to have a valid, written service agreement as required by this chapter, or having such agreement refuses to honor the terms of such agreement within a reasonable time or repudiates the same;

(viii) Is insolvent, either in the sense that his liabilities exceed his assets, or in the sense that he cannot meet his obligations as they mature;

(ix) Fails to pay any civil monetary penalty assessed by the director pursuant to this section within ten days after such assessment becomes final;

(x) Fails to notify the department of bankruptcy proceedings in the manner required by RCW 46.70.183.

(b) The applicant or licensee, or any partner, officer, director, owner of ten percent of the assets of the firm, or any employee or agent:

(i) Has failed to comply with the applicable provisions of chapter 46.12 or 46.16 RCW or this chapter or any rules and regulations adopted thereunder;

(ii) Has defrauded or attempted to defraud the state, or a political subdivision thereof of any taxes or fees in connection with the sale or transfer of a vehicle;

(iii) Has forged the signature of the registered or legal owner on a certificate of title;

(iv) Has purchased, sold, disposed of, or has in his possession any vehicle which he knows or has reason to know has been stolen or appropriated without the consent of the owner;

(v) Has wilfully failed to deliver to a purchaser a certificate of ownership to a vehicle which he has sold;

(vi) Has committed any act in violation of RCW 46.70.090 relating to vehicle dealer license plates and manufacturer license plates;

(vii) Has committed any act in violation of RCW 46.70.180 relating to unlawful acts and practices; or

(viii) Has engaged in practices inimical to the health or safety of the citizens of the state of Washington including but not limited to failure to comply with standards set by the state of Washington or the federal government pertaining to the construction or safety of vehicles;

(c) The licensee or any partner, officer, director, or owner of ten percent or more of the assets of the firm holds or has held any such position in any other vehicle dealership licensed pursuant to this chapter which is subject to final proceedings under this section.

(2) In the case of a vehicle salesman:

(a) Was the holder, or was a partner in a partnership or was an officer, director, or owner involved in the management of a corporation which was the holder, of a license issued pursuant to this chapter which was revoked for cause and never reissued, or was suspended and the terms of the suspension had not been fulfilled, or which license was assessed a civil penalty and the assessed amount has not been paid;

(b) Has been adjudged guilty of a crime which directly relates to the business of a vehicle salesman and the time elapsed since the conviction is less than ten years, or suffering any judgment within the preceding five years in any civil action involving fraud, misrepresentation, or conversion. For the purpose of this section, the term adjudged guilty means, in addition to a final conviction in either a state or municipal court, an unvacated forfeiture of bail or collateral deposited to secure a defendant's appearance in court, the payment of a fine, a plea of guilty, or a finding of guilt regardless of whether the imposition of sentence is deferred or the penalty is suspended;

(c) Has knowingly or with reason to know made a false statement of a material fact in his application for license or any data attached thereto or in any matter under investigation by the department;

(d) Has failed to comply with the applicable provisions of chapter 46.12 or 46.16 RCW or this chapter or any rules and regulations adopted thereunder;

(e) Has defrauded or attempted to defraud the state or a political subdivision thereof, of any taxes or fees in connection with the sale or transfer of a vehicle;

(f) Has forged the signature of the registered or legal owner on a certificate of title;

(g) Has purchased, sold, disposed of, or has in his possession, any vehicle which he knows or has reason to know has been stolen or appropriated without the consent of the owner;

(h) Has wilfully failed to deliver to a purchaser a certificate of ownership to a vehicle which he has sold;

(i) Has committed any act in violation of RCW 46.70.180 relating to unlawful acts and practices;

(j) Fails to pay any civil monetary penalty assessed by the director pursuant to this section within ten days after such assessment becomes final;

(k) Converts or appropriates, whether temporarily or permanently, property or funds belonging to a customer, dealer, or manufacturer, without the consent of the owner of such property or funds.

(3) In the case of a manufacturer, or any partner, officer, director, or majority shareholder:

(a) Was or is the holder of a license issued pursuant to this chapter which was revoked for cause and never reissued by the department, or which license was suspended for cause and the terms of the suspension have not been fulfilled, or which license was assessed a civil penalty and the assessed amount has not been paid;

(b) Has knowingly or with reason to know, made a false statement of a material fact in his application for license, or any data attached thereto, or in any matter under investigation by the department;

(c) Has failed to comply with the applicable provisions of chapter 46.12 or 46.16 RCW or this chapter or any rules and regulations adopted thereunder;

(d) Has defrauded or attempted to defraud the state or a political subdivision thereof, of any taxes or fees in connection with the sale or transfer of a vehicle;

(e) Has purchased, sold, disposed of, or has in his possession, any vehicle which he knows or has reason to know has been stolen or appropriated without the consent of the owner;

(f) Has committed any act in violation of RCW 46.70.090 relating to vehicle dealer license plates and manufacturer license plates;

(g) Has committed any act in violation of RCW 46.70.180 relating to unlawful acts and practices;

(h) Sells or distributes in this state or transfers into this state for resale, any new or unused vehicle to which a warranty attaches or has attached and refuses to honor the terms of such warranty within a reasonable time or repudiates the same;

(i) Fails to maintain one or more resident employees or agents to provide service or repairs to vehicles located within the state of Washington only under the terms of any warranty attached to new or unused vehicles manufactured and which are or have been sold or distributed in this state or transferred into this state for resale unless such manufacturer requires

warranty service to be performed by all of its dealers pursuant to a current service agreement on file with the department:

(j) Fails to reimburse within a reasonable time any vehicle dealer within the state of Washington, other than a motorcycle dealer governed by chapter 46.-- RCW (sections 1 through 11 of this 1985 act), who in good faith incurs reasonable obligations in giving effect to warranties that attach or have attached to any new or unused vehicle sold or distributed in this state or transferred into this state for resale by any such manufacturer;

(k) Engaged in practices inimical to the health and safety of the citizens of the state of Washington including but not limited to failure to comply with standards set by the state of Washington or the federal government pertaining to the construction and safety of vehicles;

(l) Is insolvent either in the sense that his liabilities exceed his assets or in the sense that he cannot meet his obligations as they mature;

(m) Fails to notify the department of bankruptcy proceedings in the manner required by RCW 46.70.183.

Sec. 13. Section 16, chapter 74, Laws of 1967 ex. sess. as last amended by section 6, chapter 152, Laws of 1981 and RCW 46.70.180 are each amended to read as follows:

Each of the following acts or practices is hereby declared unlawful:

(1) To cause or permit to be advertised, printed, displayed, published, distributed, broadcasted, televised, or disseminated in any manner whatsoever, any statement or representation with regard to the sale or financing of a vehicle which is false, deceptive, or misleading, including but not limited to the following:

(a) That no down payment is required in connection with the sale of a vehicle when a down payment is in fact required, or that a vehicle may be purchased for a smaller down payment than is actually required;

(b) That a certain percentage of the sale price of a vehicle may be financed when such financing is not offered in a single document evidencing the entire security transaction;

(c) That a certain percentage is the amount of the service charge to be charged for financing, without stating whether this percentage charge is a monthly amount or an amount to be charged per year;

(d) That a new vehicle will be sold for a certain amount above or below cost without computing cost as the exact amount of the factory invoice on the specific vehicle to be sold;

(e) That a vehicle will be sold upon a monthly payment of a certain amount, without including in the statement the number of payments of that same amount which are required to liquidate the unpaid purchase price.

(2) To incorporate within the terms of any purchase and sale agreement any statement or representation with regard to the sale or financing of a vehicle which is false, deceptive, or misleading, including but not limited to terms that include as an added cost to the selling price of a vehicle an amount for licensing or transfer of title of that vehicle which is not actually due to the state, unless such amount has in fact been paid by the dealer prior to such sale.

(3) To set up, promote, or aid in the promotion of a plan by which vehicles are to be sold to a person for a consideration and upon further consideration that the purchaser agrees to secure one or more persons to participate in the plan by respectively making a similar purchase and in turn agreeing to secure one or more persons likewise to join in said plan, each purchaser being given the right to secure money, credits, goods, or something of value, depending upon the number of persons joining the plan.

(4) To commit, allow, or ratify any act of 'bushing' which is defined as follows: Taking from a prospective buyer of a vehicle a written order or offer to purchase, or a contract document signed by the buyer, which:

(a) Is subject to the dealer's, or his authorized representative's future acceptance, and the dealer fails or refuses within forty-eight hours, exclusive of Saturday, Sunday, or legal holiday, and prior to any further negotiations with said buyer, to deliver to the buyer either the dealer's signed acceptance or all copies of the order, offer, or contract document together with any initial payment or security made or given by the buyer, including but not limited to money, check, promissory note, vehicle keys, a trade-in, or certificate of title to a trade-in; or

(b) Permits the dealer to renegotiate a dollar amount specified as trade-in allowance on a vehicle delivered or to be delivered by the buyer as part of the purchase price, for any reason except substantial physical damage or latent mechanical defect occurring before the dealer took possession of the vehicle and which could not have been reasonably discoverable at the time of the taking of the order, offer, or contract; or

(c) Fails to comply with the obligation of any written warranty or guarantee given by the dealer requiring the furnishing of services or repairs within a reasonable time.

(5) To commit any offense relating to odometers, as such offenses are defined in RCW 46.37.540, 46.37.550, 46.37.560, and 46.37.570.

(6) For any vehicle dealer or vehicle salesman to refuse to furnish, upon request of a prospective purchaser, the name and address of the previous registered owner of any used vehicle offered for sale.

(7) To commit any other offense under RCW 46.37.423, 46.37.424, or 46.37.425.

(8) To commit any offense relating to a dealer's temporary license permit, including but not limited to failure to properly complete each such permit, or the issuance of more than one such permit on any one vehicle.

(9) For a dealer, salesman, or mobile home manufacturer, having taken an instrument or cash 'on deposit' from a purchaser prior to the delivery of the bargained-for vehicle, to commingle said 'on deposit' funds with assets of the dealer, salesman, or mobile home manufacturer instead of holding said 'on deposit' funds as trustee in a separate trust account until the purchaser has taken delivery of the bargained-for vehicle. Failure, immediately upon receipt, to endorse 'on deposit' instruments to such a trust account, or to set aside 'on deposit' cash for deposit in such trust account, and failure to deposit such instruments or cash in such trust account by the close of banking hours on the day following receipt thereof, shall be evidence of intent to commit this unlawful practice: PROVIDED, HOWEVER, That a motor vehicle dealer may keep a separate trust account which equals his customary total customer deposits for vehicles for future delivery.

(10) For a dealer or manufacturer to fail to comply with the obligations of any written warranty or guarantee given by the dealer or manufacturer requiring the furnishing of goods and services or repairs within a reasonable period of time, or to fail to furnish to a purchaser, all parts which attach to the manufactured unit including but not limited to the undercarriage, and all items specified in the terms of a sales agreement signed by the seller and buyer.

(11) Being a manufacturer, other than a motorcycle manufacturer governed by chapter 46.-- RCW (sections 1 through 11 of this 1985 act), to:

(a) Coerce or attempt to coerce any vehicle dealer to order or accept delivery of any vehicle or vehicles, parts or accessories, or any other commodities which have not been voluntarily ordered by the vehicle dealer: PROVIDED, That recommendation, endorsement, exposition, persuasion, urging, or argument are not deemed to constitute coercion;

(b) Cancel or fail to renew the franchise or selling agreement of any vehicle dealer doing business in this state without fairly compensating the dealer at a fair going business value for his capital investment which shall include but not be limited to tools, equipment, and parts inventory possessed by the dealer on the day he is notified of such cancellation or termination and which are still within the dealer's possession on the day the cancellation or termination is effective, if: (i) The capital investment has been entered into with reasonable and prudent business judgment for the purpose of fulfilling the franchise; and (ii) said cancellation or nonrenewal was not done in good faith. Good faith is defined as the duty of each party to any franchise to act in a fair and equitable manner towards each other, so as to guarantee one party freedom from coercion, intimidation, or threats of coercion or intimidation from the other party: PROVIDED, That recommendation, endorsement, exposition, persuasion, urging, or argument are not deemed to constitute a lack of good faith.

(c) Encourage, aid, abet, or teach a vehicle dealer to sell vehicles through any false, deceptive, or misleading sales or financing practices including but not limited to those practices declared unlawful in this section;

(d) Coerce or attempt to coerce a vehicle dealer to engage in any practice forbidden in this section by either threats of actual cancellation or failure to renew the dealer's franchise agreement;

(e) Refuse to deliver any vehicle publicly advertised for immediate delivery to any duly licensed vehicle dealer having a franchise or contractual agreement for the retail sale of new and unused vehicles sold or distributed by such manufacturer within sixty days after such dealer's order has been received in writing unless caused by inability to deliver because of shortage or curtailment of material, labor, transportation, or utility services, or by any labor or production difficulty, or by any cause beyond the reasonable control of the manufacturer;

(f) To provide under the terms of any warranty that a purchaser of any new or unused vehicle that has been sold, distributed for sale, or transferred into this state for resale by the vehicle manufacturer may only make any warranty claim on any item included as an integral part of the vehicle against the manufacturer of that item.

Nothing in this section may be construed to impair the obligations of a contract or to prevent a manufacturer, distributor, representative, or any other person, whether or not licensed under this chapter, from requiring performance of a written contract entered into with any licensee hereunder, nor does the requirement of such performance constitute a violation of any of the provisions of this section if any such contract or the terms thereof requiring performance, have been freely entered into and executed between the contracting parties.

NEW SECTION, Sec. 14. 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. 15. Sections 1 through 11 of this act shall constitute a new chapter in Title 46 RCW.\*

Signed by Representatives Wang, Chair; Cole, Vice Chair; Betzoff, Chandler, Ebersole, Fisch, Fisher, R. King, O'Brien, Patrick, Sayan and C. Smith.

MINORITY recommendation: Do not pass. Signed by Representatives Walker and J. Williams.

Passed to Committee on Rules for second reading.

April 3, 1985

SSB 3342 Prime Sponsor, Committee on Ways & Means: Revising horse racing regulations. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

\*Sec. 1. Section 1, chapter 55, Laws of 1933 as last amended by section 1, chapter 132, Laws of 1982 and RCW 67.16.010 are each amended to read as follows:

Unless the context otherwise requires, words and phrases as used herein shall mean:

'Commission' shall mean the Washington horse racing commission, hereinafter created.

'Person' shall mean and include individuals, firms, corporations and associations.

'Race meet' shall mean and include any exhibition of thoroughbred, quarter horse, paint horse, appaloosa horse racing, arabian horse racing, or standard bred harness horse racing, where the parimutuel system is used.

Singular shall include the plural, and the plural shall include the singular; and words importing one gender shall be regarded as including all other genders.

Sec. 2. Section 4, chapter 55, Laws of 1933 as amended by section 1, chapter 32, Laws of 1982 and RCW 67.16.020 are each amended to read as follows:

It shall be the duty of the commission, as soon as it is possible after its organization, to prepare and promulgate a complete set of rules and regulations to govern the race meets in this state. It shall determine and announce the place, time and duration of race meets for which license fees are exacted; and it shall be the duty of each person holding a license under the authority of this chapter, and every owner, trainer, jockey, and attendant at any race course in this state, to comply with all rules and regulations promulgated and all orders issued by the commission. It shall be unlawful for any person to hold any race meet without having first obtained and having in force and effect a license issued by the commission as in this chapter provided; and it shall be unlawful for any owner, trainer or jockey to participate in race meets in this state without first securing a license therefor from the state racing commission, the fee for which shall be set by the commission which shall offset the cost of administration and shall not be for a period (~~of more than two~~) exceeding three years.

Sec. 3. Section 6, chapter 55, Laws of 1933 as last amended by section 2, chapter 32, Laws of 1982 and RCW 67.16.050 are each amended to read as follows:

Every person making application for license to hold a race meet, under the provisions of this chapter shall file an application with the commission which shall set forth the time, the place, the number of days such meet will continue, and such other information as the commission may require. The commission shall be the sole judge of whether or not the race meet shall be licensed and the number of days the meet shall continue. No person who has been convicted of any crime involving moral turpitude shall be issued a license, nor shall any license be issued to any person who has violated the terms or provisions of this chapter, or any of the rules and regulations of the commission made pursuant thereto, or who has failed to pay to the commission any or all sums required under the provisions of this chapter. The license shall specify the number of days the race meet shall continue and the number of races per day, which shall be not less than six nor more than (~~ten~~) eleven, and for which a fee shall be paid daily in advance of five hundred dollars for each day for those meets which had gross receipts from parimutuel machines in excess of fifty million dollars in the previous year and two hundred dollars for each day for meets which had gross receipts from parimutuel machines at or below fifty million dollars in the previous year; in addition any newly authorized race meets shall pay two hundred dollars per day for the first year: PROVIDED, That if unforeseen obstacles arise, which prevent the holding, or completion of any race meet, the license fee for the meet, or for a portion which cannot be held may be refunded the licensee, if the commission deems the reasons for failure to hold or complete the race meet sufficient. Any unexpired license held by any person who violates any of the provisions of this chapter, or any of the rules or regulations of the commission made pursuant thereto, or who fails to pay to the commission any and all sums required under the provisions of this chapter, shall be subject to cancellation and revocation by the commission. Such cancellation shall be made only after a summary hearing before the commission, of which three days' notice, in writing, shall be given the licensee, specifying the grounds for the proposed cancellation, and at which hearing the licensee shall be given an opportunity to be heard in opposition to the proposed cancellation.

Sec. 4. Section 7, chapter 55, Laws of 1933 as amended by section 1, chapter 31, Laws of 1979 and RCW 67.16.060 are each amended to read as follows:

(1) It shall be unlawful:

(a) To conduct pool selling, bookmaking, or to circulate hand books; or

(b) To bet or wager on any horse race other than by the parimutuel method; or

(c) For any licensee to take more than the percentage provided in RCW 67.16.170; or



(d) For any licensee to compute breaks in the parimutuel system otherwise than at ~~((five))~~ ten cents.

(2) Any wilful violation of the terms of this chapter, or of any rule, regulation, or order of the commission shall constitute a gross misdemeanor and when such violation is by a person holding a license under this chapter, the commission may cancel the license held by the offender, and such cancellation shall operate as a forfeiture of all rights and privileges granted by the commission and of all sums of money paid to the commission by the offender; and the action of the commission in that respect shall be final.

(3) The commission shall have power to exclude from any and all race courses of the state of Washington any person whom the commission deems detrimental to the best interests of racing or any person who wilfully violates any of the provisions of this chapter or of any rule, regulation, or order issued by the commission.

(4) Every race meet held in this state contrary to the provisions of this chapter is hereby declared to be a public nuisance.

Sec. 5. Section 4, chapter 236, Laws of 1949 as last amended by section 3, chapter 132, Laws of 1982 and RCW 67.16.090 are each amended to read as follows:

In any race meet in which quarter horses, thoroughbred horses, appaloosa horses, stand-ard bred harness horses, paint horses, or arabian horses participate, only horses of the same breed shall be allowed to compete in any individual race.

Sec. 6. Section 1, chapter 16, Laws of 1980 and RCW 67.16.100 are each amended to read as follows:

In addition to the license fees required by this chapter, the licensee shall pay to the commission the percentages of the gross receipts of all parimutuel machines at each race meet in accordance with RCW 67.16.105, which sums shall be paid daily to the commission.

All sums paid to the commission, together with all sums collected for license fees under the provisions of this chapter, shall be disposed of by the commission as follows: Twenty-two percent thereof shall be retained by the commission for the payment of the salaries of its members, secretary, clerical, office, and other help and all expenses incurred in carrying out the provisions of this chapter. No salary, wages, expenses, or compensation of any kind shall be paid by the state in connection with the work of the commission. ~~((Of the remaining eighty percent, forty-seven))~~ Forty percent shall, on the next business day following the receipt thereof, be paid to the state treasurer to be deposited in the general fund, and three percent shall, on the next business day following the receipt thereof, be paid to the state treasurer, who is hereby made ex officio treasurer of a fund to be known as the 'state trade fair fund' which shall be maintained as a separate and independent fund, and made available to the director of commerce and economic development for the sole purpose of assisting state trade fairs. ~~((The remaining))~~ Thirty-five percent shall be paid to the state treasurer, who is hereby made ex officio treasurer of a fund to be known as the 'fair fund,' which shall be maintained as a separate and independent fund outside of the state treasury, and made available to the director of agriculture for the sole purpose of assisting fairs in the manner provided in Title 15 RCW. Any moneys collected or paid to the commission under the terms of this chapter and not expended at the close of the fiscal biennium shall be paid to the state treasurer and be placed in the general fund. The commission may, with the approval of the office of financial management, retain any sum required for working capital.

Sec. 7. Section 6, chapter 31, Laws of 1979 as amended by section 3, chapter 32, Laws of 1982 and RCW 67.16.105 are each amended to read as follows:

~~((1))~~ For race meets which have gross receipts of all parimutuel machines averaging more than five hundred thousand dollars for each authorized day of racing, the licensee shall pay to the commission daily four and one-half percent of the gross receipts up to the first five hundred thousand dollars and daily all parimutuel machines at each race meet. All receipts in excess of five hundred thousand dollars shall be paid daily at the rate of five percent.

(2) For race meets which have gross receipts of all parimutuel machines from four hundred thousand one dollars to five hundred thousand dollars for each authorized day of racing, the licensee shall pay to the commission daily four percent of the gross receipts of all parimutuel machines at each race meet.

(3) For race meets which have gross receipts of all parimutuel machines from three hundred thousand one dollars to four hundred thousand dollars for each authorized day of racing, the licensee shall pay to the commission daily three and one-half percent of the gross receipts of all parimutuel machines at each race meet.

(4) For race meets which have gross receipts of all parimutuel machines from two hundred fifty thousand one dollars to three hundred thousand dollars for each authorized day of racing, the licensee shall pay to the commission daily three percent of the gross receipts of all parimutuel machines at each race meet.

(5) For race meets which have gross receipts of all parimutuel machines from two hundred thousand dollars to two hundred fifty thousand dollars for each authorized day of racing, the licensee shall pay to the commission daily two percent of the gross receipts of all parimutuel machines at each race meet.

(6) For race meets which have gross receipts of all parimutuel machines less than two hundred thousand dollars for each authorized day of racing, the licensee shall pay to the commission daily one percent of the gross receipts of all the parimutuel machines at each race meet.)) The licensee shall pay to the commission daily for each authorized day of racing the following applicable percentage of all daily gross receipts from all parimutuel machines at each race meet:

(1) One-half percent of the daily gross receipts, if the daily gross receipts are two hundred thousand dollars or less;

(2) One percent of the daily gross receipts, if the daily gross receipts are two hundred thousand one dollars to four hundred thousand dollars; and

(3) Four percent of the daily gross receipts if the daily gross receipts are four hundred thousand one dollars or more.

Sec. 8. Section 2, chapter 94, Laws of 1969 ex. sess. as last amended by section 4, chapter 32, Laws of 1982 and RCW 67.16.130 are each amended to read as follows:

(1) Notwithstanding any other provision of law or of chapter 67.16 RCW, the commission may license race meets which are nonprofit in nature, of ten days or less, and which have an average daily handle of one hundred twenty thousand dollars or less, at a daily licensing fee of ten dollars ~~((and a payment to the commission of one percent of the gross receipts of all parimutuel pools during such race meet)),~~ and the sponsoring nonprofit association shall be exempt from any other fees as provided for in chapter 67.16 RCW or by rule or regulation of the commission: PROVIDED, That the commission on or after January 1, 1971 may deny the application for a license to conduct a racing meet by a nonprofit association, if same shall be determined not to be a nonprofit association by the Washington state racing commission.

(2) Notwithstanding any other provision of law or of chapter 67.16 RCW the licensees of race meets which are nonprofit in nature, of ten days or less, and which have an average daily handle of one hundred twenty thousand dollars or less, shall ~~((be permitted to retain fourteen percent of the gross receipts of all parimutuel pools during such race meet; except that exotic races at such meets shall be permitted to retain an additional one percent of the gross receipts of all parimutuel pools during such exotic races with the additional retained amount used for Washington bred breeder awards, not to exceed twenty percent of the winner's share of the purse. Any portion of the remainder of the one percent may be used to support the general purse structure of the race meet, except that all such increased revenue to the licensee to be used for purses will be in addition to and will not supplant the customary purse structure between racetracks and participating horsemen. As used in this section, 'exotic races' means daily doubles, quinellas, trifectas, and exactas. Exotic races are subject to the approval of the commission))~~ withhold and shall pay daily to the commission the percentages authorized by RCW 67.16.105, 67.16.170, and 67.16.175.

(3) Notwithstanding any other provision of law or of chapter 67.16 RCW or any rule promulgated by the commission, no license for a race meet which is nonprofit in nature, of ten days or less, and which has an average daily handle of one hundred twenty thousand dollars or less, shall be denied for the reason that the applicant has not installed an electric parimutuel tote board.

(4) As a condition to the reduction in fees as provided for in subsection (1) hereof, all fees charged to horse owners, trainers, or jockeys, or any other fee charged for a permit incident to the running of such race meet shall be retained by the commission as reimbursement for its expenses incurred in connection with the particular race meet.

Sec. 9. Section 5, chapter 31, Laws of 1979 as amended by section 1, chapter 228, Laws of 1983 and RCW 67.16.170 are each amended to read as follows:

~~((H))~~ Race meets which have gross receipts of all parimutuel machines ~~((averaging more than five hundred thousand dollars))~~ for each authorized day of racing may retain the following from the daily gross receipts of all parimutuel machines:

~~((a) From the first five hundred thousand dollars)) (1) On a daily handle of two hundred thousand dollars or less, the licensee ((may)) shall retain ((ten and one-half)) fourteen and one-half percent of such gross receipts; ((and~~

~~(b) From any amount above the first five hundred thousand dollars)) (2) On a daily handle of two hundred thousand one dollars to four hundred thousand dollars, the licensee shall retain fourteen percent of such gross receipts; and~~

~~(3) On a daily handle of four hundred thousand one dollars or more, the licensee ((may)) shall retain ((ten)) eleven percent of such gross receipts.~~

~~((2) Race meets which have gross receipts of all parimutuel machines from four hundred thousand one dollars to five hundred thousand dollars for each authorized day of racing may retain eleven percent from such gross receipts of any parimutuel machine:~~

~~(3) Race meets which have gross receipts of all parimutuel machines from three hundred thousand one dollars to four hundred thousand dollars for each authorized day of racing may retain eleven and one-half percent from such gross receipts of any parimutuel machine:~~

~~(4) Race meets which have gross receipts of all parimutuel machines from two hundred fifty thousand one dollars to three hundred thousand dollars for each authorized day of racing may retain twelve percent from such gross receipts of any parimutuel machine:~~

(5) Race meets which have gross receipts of all parimutuel machines from two hundred thousand dollars to two hundred fifty thousand dollars for each authorized day of racing may retain thirteen percent from such gross receipts of any parimutuel machine.

(6) Race meets which have gross receipts of all parimutuel machines less than two hundred thousand dollars for each authorized day of racing may retain fourteen percent from such gross receipts of any parimutuel machine.

(7) Of the amounts retained in subsections (1) through (6) of this section, at least one-half of one percent shall be utilized to support the general purse structure of the race meet; except that all such increased revenue to the licensee to be utilized for purses will be in addition to and will not supplant the customary purse structure between race tracks and participating horsemen. An additional one-half of one percent shall be utilized for maintenance of the running surface, parking areas, and training and barn facilities. Any portion of the percentage for maintenance not necessary for such purposes may be utilized to support the general purse structure of the race meet.)

Sec. 10. Section 1, chapter 135, Laws of 1981 and RCW 67.16.175 are each amended to read as follows:

(1)(a) Of the daily gross receipts of all parimutuel machines from wagers on exotic races ~~((after May 12, 1981, an additional one))~~ two and one-half percent on races requiring two selections and three and one-half percent on races requiring three or more selections shall be retained and be forwarded to the state treasurer daily and deposited in the general fund of the state.

(b) In addition to the amounts authorized to be retained in RCW 67.16.170, race meets may retain an additional ~~((two))~~ three percent of the daily gross receipts of all parimutuel machines from wagers on exotic races requiring two selections to be used as provided in subsection(s) (2) ~~((and (3)))~~ of this section.

~~((2) Of the amounts retained under subsection (1)(b) of this section for race meets, those race meets which have gross receipts of all parimutuel machines averaging more than five hundred thousand dollars for each authorized day of racing:~~

~~(a) Fifty-six percent shall be used for Washington-bred breeder awards, not to exceed twenty percent of the winner's share of the purse.~~

~~(b) Forty-four percent, not to exceed two thousand five hundred dollars per racing day, shall be used for capital improvements, including but not limited to the running surface, parking area, and training and barn and backstretch facilities.~~

~~(c) Any portion of the remaining two percent may be used to support the general purse structure of the race meet, except that all such increased revenue to the licensee to be used for purses will be in addition to and will not supplant the customary purse structure between race tracks and participating horsemen.~~

~~(3) Of the amounts retained in subsection (1)(b) of this section for race meets, those race meets which have gross receipts of all parimutuel machines averaging five hundred thousand dollars or less for each authorized day of racing:~~

~~(a) Forty-five percent shall be used for Washington-bred breeder awards, not to exceed twenty percent of the winner's share of the purse.~~

~~(b) Any portion of the remaining two percent may be used to support the general purse structure of the race meet, except that all such increased revenue to the licensee to be used for purses will be in addition to and will not supplant the customary purse structure between racetracks and participating horsemen.~~

~~(4) As used in this section, "exotic races" means daily doubles, quinellas, trifectas, and exactas. Exotic races are subject to the approval of the commission.))~~

(c) In addition to the amounts authorized to be retained in RCW 67.16.170, race meets may retain an additional six percent of the daily gross receipts of all parimutuel machines from wagers on exotic races requiring three or more selections to be used as provided in subsection (2) of this section.

(2) Of the amounts retained in subsection (1) (b) and (c) of this section, one percent shall be used for Washington-bred breeder awards, not to exceed twenty percent of the winner's share of the purse.

(3) Any portion of the remaining moneys retained in subsection (1) (b) and (c) of this section shall be shared equally by the race track and participating horsemen. The amount shared by participating horsemen shall be in addition to and shall not supplant the customary purse structure between race tracks and participating horsemen.

(4) As used in this section, "exotic races" means any multiple wager. Exotic races are subject to approval of the commission.

Sec. 11. Section 14, chapter 2, Laws of 1983 and RCW 67.16.180 are each amended to read as follows:

((1) Race meets of twenty-five days or less, which run sixty percent quarter horses and/or Appaloosa races and/or Arabian races, may retain fourteen percent from the gross receipts of any parimutuel machine; except that exotic races at such meets shall be permitted to retain an additional one percent of the gross receipts of all parimutuel pools during such exotic races with the additional retained amount used for Washington-bred breeder awards, not to exceed

twenty percent of the winner's share of the purse. Any portion of the remainder of the one percent may be used to support the general purse structure of the race meet, except that all such increased revenue to the licensee to be used for purses will be in addition to and will not supplant the customary purse structure between racetracks and participating horsemen. As used in this section, "exotic races" means daily doubles, quinellas, trifectas, and exactas. Exotic races are subject to the approval of the commission:

(2) For race meets of twenty-five days or less, which run sixty percent quarter horses and/or Appaloosa races and/or Arabian races, the licensee shall pay to the commission daily one percent of the gross receipts of all parimutuel machines at each race meet. Such one percent shall be paid daily.)

Sec. 12. Section 3, chapter 70, Laws of 1981 and RCW 67.16.190 are each amended to read as follows:

Upon written application to the commission by a licensee holding a race meet, and approval by the commission, the licensee may conduct the sale of parimutuel pools on in-state or out-of-state televised or simulcast races of ~~((the Kentucky Derby, Preakness and Belmont races))~~ national or regional interest: PROVIDED, That the sale of such parimutuel pools shall be conducted ~~((only within the enclosure of the licensee's race course and))~~ only during the conduct of a race meet in the state of Washington by said licensee.

**NEW SECTION.** Sec. 13. A new section is added to chapter 67.16 RCW to read as follows:

In order for a breeder or an owner of a Washington-bred horse to be eligible to demand and receive a breeders' award, an owner bonus, or both, the horse shall have been certified as a Washington-bred with the Washington horse breeders association, and the jockey club certificate for the horse shall show that the horse has been duly certified as a Washington-bred, as evidenced by the seal and proper serial number of the Washington horse breeders association registry. The commission shall institute the certification under this section.

**NEW SECTION.** Sec. 14. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 4 of the title, strike "providing an effective date;"

Signed by Representatives Grimm, Chair; Appelwick, Basich, Brekke, Bristow, Hastings, Hine, Holland, J. King, Locke, Long, Madsen, Niemi, Rust, Sanders, Sayan, Silver, L. Smith, Smitherman, Sommers, Taylor, Vander Stoep and B. Williams.

Voting nay: Representative G. Nelson.

Absent: Representatives Long and Tilly.

Passed to Committee on Rules for second reading.

April 3, 1985

ESSB 3346 Prime Sponsor, Committee on Governmental Operations: Requiring affirmative action programs for in-state employment. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendments:

On page 12, beginning on line 30 strike everything down to and including "opportunities" on line 31 and insert "such underrepresentation"

On page 13, line 20 after "noncompliance" strike everything down to and including "act" on line 21 and insert "with any action that may be necessary to achieve compliance, provided such action is not inconsistent with the rules adopted under sections 1(20), 5(21), and 6(5) of this act, whichever is appropriate"

On page 13, line 31 after "compliance" strike everything down to and including "opportunities" on line 35 and insert ", provided such action is not inconsistent with the rules adopted under sections 1(20), 5(21), and 6(5) of this act, whichever is appropriate"

On page 14, line 9 after "action" strike everything down to and including "opportunities" on line 13 and insert "deemed appropriate by the court which is consistent with the intent of this chapter"

Signed by Representatives Belcher, Chair; Peery, Vice Chair; Baugher, Brooks, Hankins, O'Brien, Taylor, Todd, Vekich and Walk.

MINORITY recommendation: Do not pass. Signed by Representatives Fuhrman, Sanders and van Dyke.

Passed to Committee on Rules for second reading.

April 1, 1985

SSB 3354 Prime Sponsor, Committee on Ways & Means: Modifying provisions relating to medical aid to workers. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendment:

On page 3, line 26 after "representatives" insert "and to the committees on commerce and labor of the senate and house of representatives"

Signed by Representatives Wang, Chair; Cole, Vice Chair; Betzoff, Chandler, Ebersole, Fisch, Fisher, R. King, O'Brien, Patrick, Sayan, C. Smith, Walker and J. Williams.

Passed to Committee on Rules for second reading.

April 2, 1985

SSB 3356 Prime Sponsor, Committee on Transportation: Revising county road administrative procedures. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendments:

On page 5, line 35 after "roads" strike "and" and insert ";

On page 6, line 1 after "process" insert "and, with the approval of the state department of transportation, state highways"

Signed by Representatives Walk, Chair; Wineberry, Vice Chair; Baugher, Betzoff, Bond, Fisch, Fisher, Gallagher, Hankins, Haugen, Kremen, Lundquist, McMullen, Patrick, Prince, Schmidt, C. Smith, Sutherland, Tanner, Thomas, Valle, Van Luven, J. Williams, K. Wilson and Zellinsky.

Absent: Representatives Brough and Van Luven.

Passed to Committee on Rules for second reading.

April 3, 1985

SB 3363 Prime Sponsor, Senator Cantu: Clarifying the incest statute. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Hargrove, P. King, Lewis, Niemi, Padden, Schmidt, Schoon, Van Luven, West and Wang.

Absent: Representatives Armstrong, Chair; Dellwo, Lewis, Locke, G. Nelson, Tilly, Van Luven and Wang.

Passed to Committee on Rules for second reading.

April 4, 1985

SSB 3378 Prime Sponsor, Committee on Agriculture: Establishing a state agricultural finance commission. Reported by Committee on Agriculture

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"NEW SECTION, Sec. 1. A new section is added to chapter 39.84 RCW to read as follows:

The legislature finds that Congress has made available a program which, if enacted by individual states, allows the issuance of tax exempt industrial development bonds for the purpose of making loans to eligible persons who engage in certain agricultural activities as provided in the federal internal revenue code.

The legislature has found and determined and does hereby declare that in this state the following conditions exist: (a) An inadequate supply of funds at interest rates sufficiently low to enable persons to engage in agriculture in this state or to expand agricultural operations from present levels; (b) that such inability to pursue agricultural operations lessens the supply of agricultural commodities available to fulfill the needs of the citizens of this state, nation, and the increasing world demand for food; (c) that such inability to continue operations decreases available employment in the agricultural sector of the state and contributes to continued unemployment and its attendant problems; (d) that such conditions prevent the acquisition of an adequate capital stock of farm equipment and machinery, therefore impairing the productivity of agricultural land; (e) that such conditions are conducive to consolidation of acreage of agricultural land resulting in fewer individuals living and farming on the traditional family farm; (f) that these conditions contribute to a continued loss in population, and movement of persons from rural to urban areas which results in increased costs to communities for creation of new public facilities and services; (g) that there have been recurrent shortages of funds from private market sources at reasonable rates of interest; (h) that these shortages have made the sale and purchase of agricultural land to family farmers a virtual impossibility in many parts of the state; (i) that the ordinary operations of private enterprise have not in the past corrected these conditions; and (j) that a stable supply of adequate funds for agricultural financing is

required to encourage family farming in an orderly and sustained manner and to reduce the problems described in this section.

Based upon the above findings it is therefore declared that conditions exist in the state that justify the use of nonrecourse revenue bonds, as authorized under Article 32 of the Washington Constitution, for loans for the acquisition and development of agricultural facilities.

It is declared to be the public policy of the state and a recognized governmental function to assist the agricultural producers of this state and by doing so contribute to the general economic welfare. A strong agricultural economy is a most important public concern. The agricultural sector in Washington both directly and indirectly is the largest employer in the state and its products compose the largest share of this state's exports. A strong agricultural sector is vital to our financial institutions, ports, transportation industry, and a wide range of other agricultural services.

Sec. 2. Section 2, chapter 300, Laws of 1981 as amended by section 1, chapter 51, Laws of 1983 1st ex. sess. and RCW 39.84.020 are each amended to read as follows:

As used in this chapter, the following terms have the meanings indicated unless the context clearly requires otherwise.

(1) 'Agricultural facility' means land, any building or other improvement thereon or thereto, and any equipment and other personal properties deemed necessary or suitable for use, whether or not now in existence, in: Farming; ranching; the production of agricultural commodities (including, without limitation, the products of aquaculture, Christmas trees, and ornamental horticulture); soil and water conservation projects; or the treating, processing, or storing of such agricultural commodities when such activities are customarily engaged in by farmers as a part of farming.

(2) 'Board of directors' means the board of directors of a public corporation.

((2)) (3) 'Construction' or 'construct' means construction and acquisition, whether by devise, purchase, gift, lease, or otherwise.

((3)) (4) 'Facilities' means land, rights in land, buildings, structures, docks, wharves, machinery, transmission equipment, landscaping, utilities, approaches, roadways and parking, handling and storage areas, and similar ancillary facilities.

((4)) (5) 'Financing document' means a lease, sublease, installment sale agreement, conditional sale agreement, loan agreement, mortgage, deed of trust guaranty agreement, or other agreement for the purpose of providing funds to pay or secure debt service on revenue bonds.

((5)) (6) 'Improvement' means reconstruction, remodeling, rehabilitation, extension, and enlargement; and 'to improve' means to reconstruct, to remodel, to rehabilitate, to extend, and to enlarge.

((6)) (7) 'Industrial development facilities' means manufacturing, processing, research, production, assembly, warehousing, transportation, pollution control, solid waste disposal, energy facilities, ((and)) industrial parks, and agricultural facilities.

((7)) (8) 'Industrial park' means acquisition and development of land as the site for an industrial park. For the purposes of this chapter, 'development of land' includes the provision of water, sewage, drainage, or similar facilities, or of transportation, energy, or communication facilities, which are incidental to the use of the site as an industrial park, but does not include the provision of structures or buildings.

((8)) (9) 'Municipality' means a city, town, county, or port district of this state.

((9)) (10) 'Ordinance' means any appropriate method of taking official action or adopting a legislative decision by any municipality, whether known as a resolution, ordinance, or otherwise.

((10)) (11) 'Project costs' means costs of (a) acquisition, construction, and improvement of any facilities included in an industrial development facility; (b) architectural, engineering, consulting, accounting, and legal costs related directly to the development, financing, and construction of an industrial development facility, including costs of studies assessing the feasibility of an industrial development facility; (c) finance costs, including discounts, if any, the costs of issuing revenue bonds, and costs incurred in carrying out any trust agreement; (d) interest during construction and during the six months after estimated completion of construction, and capitalized debt service or repair and replacement or other appropriate reserves; (e) the refunding of any outstanding obligations incurred for any of the costs outlined in this subsection; and (f) other costs incidental to any of the costs listed in this section.

((11)) (12) 'Revenue bond' means a nonrecourse revenue bond, nonrecourse revenue note, or other nonrecourse revenue obligation issued for the purpose of financing an industrial development facility on an interim or permanent basis.

((12)) (13) 'User' means one or more persons acting as lessee, purchaser, mortgagor, or borrower under a financing document and may include a party who transfers the right of use and occupancy to another party by lease, sublease, or otherwise."

On page 1, line 1 of the title, after "39.84.020" strike the remainder of the title and insert " and adding a new section to chapter 39.84 RCW."

Signed by Representatives Vekich, Chair; Baugher, Vice Chair; Ballard, Bristow, Brooks, Chandler, Kremen, Madsen, Nealey and Peery.

MINORITY recommendation: Do not pass. Signed by Representative Doty.

Passed to Committee on Rules for second reading.

April 2, 1985

SSB 3384

Prime Sponsor, Committee on Natural Resources: Establishing a salmon and steelhead rehabilitation and enhancement policy board.  
Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

**\*NEW SECTION.** Sec. 1. Currently, many of the salmon stocks of Washington state are critically reduced from their sustainable level. The best interests of all fishing groups and the citizens as a whole are served by a stable and productive salmon resource. Immediate action is needed to reverse the severe decline of the resource and to insure its very survival. The legislature finds a state of emergency exists and that immediate action is required to restore its fishery.

Disagreement and strife have dominated the salmon fisheries for many years. Conflicts among the various fishing interests have only served to erode the resource. It is time for the state of Washington to make a major commitment to increasing productivity of the resource and to move forward with an effective rehabilitation and enhancement program. The department of fisheries is directed to dedicate its efforts to make increasing the productivity of the salmon resource a first priority and to seek resolution to the many conflicts that involve the resource.

Success of the enhancement program can only occur if projects efficiently produce salmon or restore habitat. The expectation of the program is to optimize the efficient use of funding on projects that will increase artificially and naturally produced salmon, restore and improve habitat, or identify ways to increase the survival of salmon. The full utilization of state resources and cooperative efforts with interested groups are essential to the success of the program.

**NEW SECTION.** Sec. 2. (1) The director shall develop long-term regional policy statements regarding the salmon fishery resources before December 1, 1985. The director shall consider the following in formulating and updating regional policy statements:

- (a) Existing resource needs;
- (b) Potential for creation of new resources;
- (c) Successful existing programs, both within and outside the state;
- (d) Balanced utilization of natural and hatchery production;
- (e) Desires of the fishing interest;
- (f) Need for additional data or research;
- (g) Federal court orders; and
- (h) Salmon advisory council recommendations.

(2) The director shall review and update each policy statement at least once each year.

**NEW SECTION.** Sec. 3. (1) The director shall develop a detailed salmon enhancement plan with proposed enhancement projects. The plan and the regional policy statements shall be submitted to the secretary of the senate and chief clerk of the house of representatives for legislative distribution by June 30, 1986. The director shall provide a maximum opportunity for the public to participate in the development of the salmon enhancement plan. To insure full participation by all interested parties, the director shall solicit and consider enhancement project proposals from Indian tribes, sports fishermen, commercial fishermen, private aquaculturists, and other interested groups or individuals for potential inclusion in the salmon enhancement plan. Joint or cooperative enhancement projects shall be considered for funding.

(2) The following criteria shall be used by the director in formulating the project proposals:

- (a) Compatibility with the long-term policy statement;
- (b) Benefit/cost analysis;
- (c) Needs of all fishing interests;
- (d) Compatibility with regional plans, including harvest management plans;
- (e) Likely increase in resource productivity;
- (f) Direct applicability of any research;
- (g) Salmon advisory council recommendations;
- (h) Compatibility with federal court orders;
- (i) Coordination with the salmon and steelhead advisory commission program;
- (j) Economic impact to the state;
- (k) Technical feasibility; and
- (l) Preservation of native salmon runs.

(3) The director shall not approve projects that serve as replacement funding for projects that exist prior to the effective date of this act, unless no other sources of funds are available.

(4) The director shall prioritize various projects and establish a recommended implementation time schedule.

**NEW SECTION.** Sec. 4. Upon approval by the legislature of funds for its implementation, the director shall monitor the progress of projects detailed in the salmon enhancement plan.

The director shall be responsible for establishing criteria which shall be used to measure the success of each project in the salmon enhancement plan.

NEW SECTION. Sec. 5. The director shall report to the legislature on or before October 30th of each year on the progress and performance of each project. The report shall contain an analysis of the successes and failures of the program to enable optimum development of the program. The report shall include estimates of funding levels necessary to operate the projects in future years.

The director shall submit the reports and any additional recommendations to the committees on ways and means and the committees on natural resources of the senate and house of representatives.

NEW SECTION. Sec. 6. As used in this chapter, 'enhancement project' means salmon propagation activities including, but not limited to, hatcheries, spawning channels, rearing ponds, egg boxes, fishways, fish screens, stream bed clearing, erosion control, habitat restoration, net pens, applied research projects, and any equipment, real property, or other interest necessary to the proper operation thereof.

Sec. 7. Section 2, chapter 327, Laws of 1977 ex. sess. as last amended by section 173, chapter 46, Laws of 1983 1st ex. sess. and RCW 75.48.120 are each amended to read as follows:

(1) The department shall not acquire, construct, or substantially improve a salmon enhancement facility unless the requirements of this section are met.

(a) The productivity of a salmon propagation facility is very dependent on water quantity and quality. Due to the limited number of water sources which meet the critical needs of a facility, it is imperative that these sources are acquired. Therefore, site acquisitions and preliminary design shall be considered by the department as generally having priority over project development.

(b) Prior to expending moneys for the construction and development of a particular salmon propagation facility, except for site acquisition and preliminary design, the department shall, with the advice of the advisory council created in subsection (2) of this section, give consideration to the following factors with respect to that facility:

(i) The department's management authority over propagated salmon;

(ii) The level of expected Canadian interception on the propagated salmon and whether this would be acceptable;

(iii) Whether an acceptable agreement has been reached on the status of treaty Indian salmon harvest: ~~((and))~~

(iv) Whether there can be a maximum harvest of propagated salmon with a tolerable impact on other salmonid stocks, both natural and artificial, and on their environment. The department shall consult on this matter with the department of game; and

(v) Compatibility with regional policy statements and the salmon enhancement plan under chapter 75.-- RCW (sections 1 through 6 of this 1985 act).

(2) To aid and advise the department in the performance of its functions with regard to the salmon enhancement program, a salmon advisory council is created. The advisory council consists of ~~((thirteen))~~ six members appointed by the governor; and the director, who shall be chairman ~~((; the director of the department of game, or the director's designee; one member of the senate to be appointed by the president of the senate; and one member of the house of representatives to be appointed by the speaker of the house of representatives. Of the members appointed by the governor, two shall represent troll fishermen; two shall represent gill net fishermen, of which one shall be from the Puget Sound area and one from the southwest Washington area; one shall represent purse seine fishermen; one shall represent owners of charter boats; three shall represent sportsmen; two shall be members of Indian tribes of this state who shall be appointed from a list submitted by the Northwest Indian Fisheries Commission; and two shall represent fish processors, of which one shall represent fresh or frozen fish processors and one shall represent canneries)).~~ Of the members appointed by the governor, two shall represent non-Indian commercial fishermen, two shall represent sports fishermen, and two shall represent treaty Indian fishermen. Of the treaty Indian fishermen, one shall be selected from a list provided by the Washington state tribal coordinating body and one shall be selected from a list provided by the Columbia River tribal coordinating body defined in 16 U.S.C. 3302 (5) and (18).

All members appointed by the governor shall serve terms of two years. Vacancies shall be filled in the same manner as original appointments.

The advisory council shall be convened by the director prior to the decision to expend funds for construction and development of any salmon ~~((propagation facility))~~ enhancement project. The council shall advise the director with regard to the considerations listed in subsection (1)(b) of this section and other factors the council deems relevant with respect to the proposed facility. The council shall actively participate in the development of regional policy statements and the salmon enhancement plan.

~~((Except for the director of the department of game and legislative members.))~~ Members shall receive reimbursement through the department of fisheries for travel expenses incurred in the performance of their duties in accordance with RCW 43.03.050 and 43.03.060.



~~((The director of the department of game, or the director's designee, shall receive reimbursement through the department of game for travel expenses incurred in the performance of his or her duties in accordance with RCW 43.03.050 and 43.03.060. The legislative members shall be deemed engaged in legislative business while in attendance upon the business of the council and shall be limited to such allowances therefor as otherwise provided in RCW 44.04.120.))~~

The salmon advisory council shall cease to exist on December 31, 1989. This section expires on December 31, 1989.

NEW SECTION. Sec. 8. Thirty-nine thousand dollars, or so much thereof as may be necessary, is appropriated from the state general fund for the biennium ending June 30, 1987, to the department of fisheries for the purposes of this act.

NEW SECTION. Sec. 9. Sections 1 through 6 of this act shall constitute a new chapter in Title 75 RCW.

NEW SECTION. Sec. 10. 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. 11. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Basich, Belcher, Cole, Dobbs, Fuhrman, Hankins, Hargrove, Haugen, Leonard, Lundquist, McMullen, D. Nelson, Sanders, Sayan, Thomas, van Dyke and S. Wilson.

Absent: Representative J. Williams.

Passed to Committee on Rules for second reading.

April 3, 1985

SSB 3386 Prime Sponsor, Committee on Governmental Operations: Revising laws on executive sessions of governing bodies. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

\*Sec. 1. Section 2, chapter 250, Laws of 1971 ex. sess. as last amended by section 1, chapter 155, Laws of 1983 and RCW 42.30.020 are each amended to read as follows:

As used in this chapter unless the context indicates otherwise:

(1) 'Public agency' means:

(a) Any state board, commission, committee, department, educational institution, or other state agency which is created by or pursuant to statute, other than courts and the legislature;

(b) Any county, city, school district, special purpose district, or other municipal corporation or political subdivision of the state of Washington;

(c) Any subagency of a public agency which is created by or pursuant to statute, ordinance, or other legislative act, including but not limited to planning commissions, library or park boards, commissions, and agencies;

(d) Any policy group whose membership includes representatives of publicly owned utilities formed by or pursuant to the laws of this state when meeting together as or on behalf of participants who have contracted for the output of generating plants being planned or built by an operating agency.

(2) 'Governing body' means the multimember board, commission, committee, council, or other policy or rule-making body of a public agency, or any committee thereof when the committee acts on behalf of the governing body, conducts hearings, or takes testimony or public comment.

(3) 'Action' means the transaction of the official business of a public agency by a governing body including but not limited to receipt of public testimony, deliberations, discussions, considerations, reviews, evaluations, and final actions. 'Final action' means a collective ~~(decision made by a majority of the members of a governing body, a collective commitment or promise by a majority of the members of a governing body to make a)~~ positive or negative decision, or an actual vote by a majority of the members of a governing body when sitting as a body or entity, upon a motion, proposal, resolution, order, or ordinance.

(4) 'Meeting' means meetings at which action is taken.

Sec. 2. Section 11, chapter 250, Laws of 1971 ex. sess. as last amended by section 3, chapter 155, Laws of 1983 and RCW 42.30.110 are each amended to read as follows:

(1) Nothing contained in this chapter ~~(shall)~~ may be construed to prevent a governing body from holding an executive session~~(s)~~ during a regular or special meeting;

(a) To consider matters affecting national security;

(b) To consider the selection of a site or the acquisition of real estate by lease or purchase~~(:)~~ when ~~(publicity)~~ public knowledge regarding such consideration would cause a likelihood of increased price;

(c) To consider the ~~((disposition of))~~ minimum price at which real estate ~~((by lease or))~~ will be offered for sale(;) or lease when ((publicity)) public knowledge regarding such consideration would cause a likelihood of decreased price. However, final action selling or leasing public property shall be taken in a meeting open to the public;

(d) To ~~((consider))~~ review negotiations on the performance of publicly-bid contracts when ((publicity)) public knowledge regarding such consideration would cause a likelihood of increased costs; ~~((to consider the appointment, employment, or dismissal of a public officer or employee: PROVIDED, That interviewing of proposed appointees to elective office by a governing body shall not be conducted in executive session, or to hear complaints or charges brought against such officer or employee by another public officer, person, or employee unless such officer or employee requests a public hearing. The governing body also may exclude from any such public meeting or executive session, during the examination of a witness on any such matter, any or all other witnesses in the matter being investigated by the governing body. If executive sessions are held to discuss the disposition by sale or lease of real estate, the discussion shall be limited to the minimum selling or leasing price:))~~

(e) To receive and evaluate complaints or charges brought against a public officer or employee. However, upon the request of such officer or employee, a public hearing or a meeting open to the public shall be conducted upon such complaint or charge;

(f) To evaluate the qualifications of an applicant for public employment or to review the performance of a public employee. However, subject to RCW 42.30.140(4), discussion by a governing body of salaries, wages, and other conditions of employment to be generally applied within the agency shall occur in a meeting open to the public, and when a governing body elects to take final action hiring, setting the salary of an individual employee or class of employees, or discharging or disciplining an employee, that action shall be taken in a meeting open to the public;

(g) To evaluate the qualifications of a candidate for appointment to elective office. However, any interview of such candidate and final action appointing a candidate to elective office shall be in a meeting open to the public;

(h) To discuss with legal counsel representing the agency matters relating to agency enforcement actions, or to discuss with legal counsel representing the agency litigation or potential litigation to which the agency, the governing body, or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency.

(2) Before convening in executive session, the presiding officer of a governing body shall publicly announce the purpose for excluding the public from the meeting place, and the time when the executive session will be concluded. The executive session may be extended to a stated later time by announcement of the presiding officer.\*

In line 2 of the title, after "RCW" insert "42.30.020 and"

Signed by Representatives Belcher, Chair; Peery, Vice Chair; Baugher, Brooks, Fuhrman, Hankins, O'Brien, Sanders, Taylor, Todd, van Dyke, Vekich and Walk.

Passed to Committee on Rules for second reading.

April 3, 1985

SB 3393 Prime Sponsor, Senator Talmadge: Revising statutes of limitations. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Hargrove, Lewis, Locke, Niemi, Padden, Schmidt, Schoon, Van Luvan, West and Wang.

Absent: Representatives Dellwo, Lewis, G. Nelson and Tilly.

Passed to Committee on Rules for second reading.

April 2, 1985

ESB 3400 Prime Sponsor, Senator Owen: Changing provisions relating to state mineral, oil, and gas leases. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Basich, Belcher, Dobbs, Fuhrman, Hankins, Hargrove, Haugen, Lundquist, McMullen, Sanders, Sayan, van Dyke and S. Wilson.

Voting nay: Representatives Cole, Leonard and D. Nelson.

Absent: Representative J. Williams.

Passed to Committee on Rules for second reading.

April 4, 1985

ESB 3418

Prime Sponsor, Senator Peterson: Modifying provisions on the retail sale of motor vehicle fuels. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Motor fuel franchise' means any oral or written contract, either expressed or implied, between a motor fuel supplier and motor fuel retailer under which the motor fuel retailer is supplied motor fuel for sale to the public, and includes any agreements between a motor fuel supplier and motor fuel retailer under which the retailer is permitted to occupy premises owned, leased, or controlled by the supplier for the purpose of engaging in the retail sale of motor fuel supplied by the motor fuel supplier.

(2) 'Motor fuel supplier' means any person, firm, or corporation, including any affiliate of the person, firm, or corporation, who or which is engaged in the refining of crude oil into fuels, lubricants, petro-chemicals, or other products, and who or which supplies motor fuel for sale, consignment, or distribution through retail outlets. For purposes of this chapter 'motor fuel supplier' does not include any person, firm, or corporation, including an affiliate of the person, firm, or corporation, who or which has less than three hundred twenty-five thousand barrels of operable capacity per calendar day, as reported to the federal department of energy.

(3) 'Motor fuel retailer' means a person, firm, or corporation engaged primarily in the sale of motor fuel pursuant to a motor fuel franchise entered into with a reseller.

(4) 'Motor fuel' means gasoline or diesel fuel of a type distributed for use in self-propelled motor vehicles and includes gasohol.

(5) 'Affiliate' means any person, firm, or corporation who controls or is controlled by any motor fuel supplier, and includes any subsidiary or affiliated corporation in which the motor fuel supplier or its shareholders, officers, agents, or employees hold or control more than twenty-five percent of the voting shares.

(6) 'Retail motor fuel outlet' means any location where motor fuel is distributed for purposes other than resale.

(7) 'Reseller' means any motor fuel supplier or any other seller of motor fuel to a motor fuel retailer for purposes of resale.

NEW SECTION, Sec. 2. Subject to section 4 of this act, after December 31, 1985, no motor fuel supplier may open a retail motor fuel outlet in the state of Washington and operate it with company personnel, a subsidiary company, or a commissioned agent or under a contract with any person, firm, or corporation managing any such outlet on a fee arrangement with the motor fuel supplier. The retail motor fuel outlet must be operated by a motor fuel retailer.

NEW SECTION, Sec. 3. Subject to section 4 of this act, after June 30, 1988, no motor fuel supplier may operate any retail motor fuel outlet in the state of Washington with company personnel, a subsidiary company, or a commissioned agent or under contract with any person, firm, or corporation managing any such outlet on a fee arrangement with the motor fuel supplier. The retail motor fuel outlet must be operated by a motor fuel retailer.

NEW SECTION, Sec. 4. Sections 2 and 3 of this act notwithstanding, any motor fuel supplier may open and temporarily operate any retail motor fuel outlet for a period not exceeding ninety days in circumstances where the motor fuel retailer voluntarily terminates or voluntarily agrees not to renew the motor fuel franchise or the franchise is terminated or not renewed by the motor fuel supplier in accordance with applicable state and federal laws.

NEW SECTION, Sec. 5. The commission of any act prohibited by this chapter shall constitute an unfair or deceptive act or practice under chapter 19.86 RCW and the attorney general and any aggrieved person, including but not limited to any motor fuel retailers being supplied by the offending motor fuel supplier, shall have all rights and remedies available under chapter 19.86 RCW.

NEW SECTION, Sec. 6. 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. 7. Sections 1 through 5 of this act shall constitute a new chapter in Title 19 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 July 1, 1985.

On page 1, line 1 of the title, after "fuels;" strike the remainder of the title and insert "adding a new chapter to Title 19 RCW; prescribing penalties; providing an effective date; and declaring an emergency."

Signed by Representatives McMullen, Chair; Kremen, Vice Chair; Braddock, Day, Doty, Hargrove, J. King, Niemi, Rayburn, Scott, Silver, L. Smith, Smitherman, Tanner, Thomas, Vekich, B. Williams and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Dobbs, Lundquist, Schoon and van Dyke.

Voting nay: Representatives Dobbs, Lundquist, May, Schmidt, Schoon and van Dyke.

Passed to Committee on Rules for second reading.

April 3, 1985

SB 3420 Prime Sponsor, Senator Granlund: Exempting transfers of open space land to nonprofit organizations from property tax recapture. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with the following amendments:

On page 4, line 3 after "84.36.030" insert "and is used solely for the benefit of the poor and infirm. This subsection (h) applies only to taxes, penalties, and interest under this section that have been assessed for the removal of property from classification under this chapter after September 1, 1977, and before July 1, 1980. Any person or entity who has paid taxes to which this subsection (h) applies may apply within one hundred and eighty days after the effective date of this act for a refund of the tax paid"

On page 4, beginning on line 4 strike all of section 2.

Remember the sections consecutively and correct any internal references accordingly.

Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Basich, Bristow, Hastings, Hine, Holland, Long, Madsen, G. Nelson, Niemi, Rust, Sanders, Sayan, Silver, L. Smith, Smitherman, Sommers, Taylor, Vander Stoep and B. Williams.

Absent: Representatives Long and Tilly.

Passed to Committee on Rules for second reading.

April 1, 1985

SB 3426 Prime Sponsor, Senator Warnke: Revising provisions relating to industrial insurance appeals. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendments:

On page 2, beginning on line 12 strike all of section 2.

On page 1, line 2 of the title after "51.52.104" strike "and 51.41.060"

Signed by Representatives Wang, Chair; Cole, Vice Chair; Betzoff, Chandler, Ebersole, Fisch, Fisher, R. King, O'Brien, Patrick, Sayan, C. Smith, Walker and J. Williams.

Passed to Committee on Rules for second reading.

April 3, 1985

SB 3436 Prime Sponsor, Senator Talmadge: Revising provisions relating to ballot titles. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: Do pass. Signed by Representatives Fisher, Chair; Leonard, Vice Chair; Barnes, Barrett, Day, Fisch, Madsen, Miller, Nealey, Sommers and Walker.

Passed to Committee on Rules for second reading.

April 2, 1985

ESB 3467 Prime Sponsor, Senator Hansen: Relating to legislative authority governing rail districts. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Wineberry, Vice Chair; Betzoff, Bond, Fisher, Gallagher, Hankins, Kremen, McMullen, Prince, C. Smith, Sutherland, Thomas, Valle, J. Williams and K. Wilson.

Absent: Representatives Baugher, Brough, Lundquist and Van Luven.

Passed to Committee on Rules for second reading.

April 2, 1985

SB 3486 Prime Sponsor, Senator DeJarnatt: Limiting the area in which a county may impose a tax on gambling. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Betzoff, Chandler, Ebersole, Fisch, Fisher, R. King, O'Brien, Patrick, Sayan, C. Smith, Walker and J. Williams.

Absent: Representative Fisch.

Passed to Committee on Rules for second reading.

April 2, 1985

ESB 3494 Prime Sponsor, Senator Gaspard: Authorizing the conduct of turkey shoots. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Betzoff, Chandler, Ebersole, Fisch, Fisher, R. King, O'Brien, Patrick, Sayan, C. Smith, Walker and J. Williams.

Absent: Representative Fisch.

Passed to Committee on Rules for second reading.

April 4, 1985

SSB 3540 Prime Sponsor, Committee on Financial Institutions: Revising health maintenance organization provisions. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass with the following amendment:

On page 7, line 35 strike "~~((developmental disability))~~ mental" and insert "developmental disability"

Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Addison, Barrett, Crane, Dellwo, Holland, P. King, Locke, Nutley, Prince and Winsley.

Absent: Representative Grimm.

Passed to Committee on Rules for second reading.

April 2, 1985

SSB 3556 Prime Sponsor, Committee on Natural Resources: Authorizing the use of private aquaculturists to enhance the propagation of food fish. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 13, strike all material through line 23

On page 2, beginning with line 27, strike everything through page 3, line 5, and insert "~~((thirteen))~~ six members appointed by the governor; the director, who shall be chairman; ~~((the director of the department of game, or the director's designee; one member of the senate to be appointed by the president of the senate; and one member of the house of representatives to be appointed by the speaker of the house of representatives. Of the members appointed by the governor, two shall represent troll fishermen; two shall represent gill-net fishermen, of which one shall be from the Puget Sound area and one from the southwest Washington area; one shall represent purse seine fishermen; one shall represent owners of charter boats; three shall represent sportsmen; two shall be members of Indian tribes of this state who shall be appointed from a list submitted by the Northwest Indian Fisheries Commission; and two shall represent fish processors, of which one shall represent fresh or frozen fish processors and one shall represent canneries))~~ and four legislative members, one appointed by the chair of each caucus in both the state senate and the house of representatives. Of the members appointed by the governor, two shall represent non-Indian commercial fishermen, two shall represent sports fishermen, and two shall represent Indian tribal fishermen."

Signed by Representatives Sutherland, Chair; Dobbs, Fuhrman, Hankins, Hargrove, Haugen, Lundquist, Sanders, Thomas, van Dyke and S. Wilson.

MINORITY recommendation: Do not pass. Signed by Representatives K. Wilson, Vice Chair; Basich, Belcher, Cole, Leonard, McMullen, D. Nelson and Sayan.

Absent: Representative J. Williams.

Passed to Committee on Rules for second reading.

April 2, 1985

SB 3601 Prime Sponsor, Senator Guess: Revising proportional licensing of motor vehicles. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Wineberry, Vice Chair; Betrozoff, Bond, Fisher, Gallagher, Hankins, Haugen, Kremen, McMullen, Patrick, Prince, Schmidt, C. Smith, Sutherland, Tanner, Thomas, Valle, J. Williams, K. Wilson and Zellinsky.

Absent: Representatives Baugher, Brough, Fisch, Lundquist, McMullen and Van Luvan.

Passed to Committee on Rules for second reading.

April 2, 1985

SSB 3630 Prime Sponsor, Committee on Commerce & Labor: Changing provisions relating to the Washington high-technology coordinating board. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass with the following amendment:

On page 1, after line 3 strike the remainder of the bill and insert:

"Sec. 1. Section 5, chapter 72, Laws of 1983 1st ex. sess. as amended by section 1, chapter 66, Laws of 1984 and RCW 28B.65.040 are each amended to read as follows:

(1) The Washington high-technology coordinating board is hereby created.

(2) The board shall be composed of ~~((seventeen))~~ fifteen members as follows:

(a) ~~((Eleven))~~ Seven shall be citizen members appointed by the governor, with the consent of the senate, for four-year terms. In making the appointments the governor shall ensure that a balanced geographic representation of the state is achieved and shall attempt to choose persons experienced in high-technology fields, including at least one representative of labor. Any person appointed to fill a vacancy occurring before a term expires shall be appointed only for the remainder of that term; and

(b) ~~((Six))~~ Eight of the members shall be as follows: One representative from each of the state's two research universities, ~~((one representative of the state college and regional universities, the director for the state system of community colleges or the director's designee, the superintendent of public instruction or the superintendent's designee, and a representative of the council for postsecondary education))~~ one representative of the faculty of a higher education institution, two members of the senate with one appointed by the president of the senate from each of the two largest caucuses in the senate, two members of the house of representatives with one appointed by the speaker from each of the two largest caucuses in the house, and the director of the department of commerce and economic development or the director's designee.

(3) Members of the board shall not receive any salary for their services, but shall be reimbursed for travel expenses under RCW 43.03.050 and 43.03.060 for each day actually spent in attending to duties as a member of the board.

(4) A citizen member of the board shall not be, during the term of office, a member of the governing board of any public or private educational institution, or an employee of any state or local agency.

Sec. 2. Section 6, chapter 72, Laws of 1983 1st ex. sess. and RCW 28B.65.050 are each amended to read as follows:

(1) The board shall oversee, ~~((and))~~ coordinate, and evaluate ~~((the))~~ high-technology ~~((education and training))~~ programs.

(2) The board shall:

(a) Determine the specific high-technology occupational fields in which technical training is needed and advise the institutions of higher education and the council for postsecondary education or its statutory successor on their findings;

(b) Identify economic areas ~~((with))~~ and high-technology industries in need of technical training and research and development critical to ~~((economic renewal or))~~ economic development and advise the institutions of higher education and the council for postsecondary education or its statutory successor on their findings;

(c) Oversee and coordinate the Washington high-technology education and training program to insure high standards, efficiency, and effectiveness;

(d) Work cooperatively with the superintendent of public instruction to identify the skills prerequisite to the high-technology programs in the institutions of higher education;

(e) Work cooperatively with and provide any information or advice which may be requested by the council for postsecondary education or its statutory successor during the council's review of new baccalaureate degree program proposals which are submitted under this chapter. Nothing in this chapter shall be construed as altering or superseding the powers

or prerogatives of the council for postsecondary education or its statutory successor over the review of new degree programs as established in RCW 28B.80.035;

~~(f) (Prepare and submit a report to the 1984 legislature on whether or not high-technology education and training consortiums should be established between the state's community colleges and four-year colleges and universities pursuant to RCW 28B.65.080, including their geographic division and the pattern of cooperation between the community colleges and the four-year colleges and universities and shall investigate the establishment of such consortiums within existing resources) Work cooperatively with the department of commerce and economic development to identify the high-technology education and training needs of existing Washington businesses and businesses with the potential to locate in Washington; and~~

(g) Prepare and submit to the legislature before the first day of each regular session an annual report on ~~((the))~~ Washington high-technology ~~((education and training))~~ programs including, but not limited to:

(i) An evaluation of ~~((the))~~ each program;

~~((ii))~~ A fiscal cost benefit analysis of each program;

~~((iii))~~ A determination of the feasibility of expanding the program; and

~~((iv))~~ Recommendations, including recommendations for further legislation as the board deems necessary.

(3) The board may adopt rules under chapter 28B.19 RCW as it deems necessary to carry out the purposes of this chapter.

(4) The board shall cease to exist on June 30, 1987, unless extended by law for an additional fixed period of time.

Sec. 3. Section 7, chapter 72, Laws of 1983, 1st ex. sess. and RCW 28B.65.060 are each amended to read as follows:

Staff support for the high-technology coordinating board shall be provided by existing staff of the council for postsecondary education or its statutory successor and the department of commerce and economic development.

Signed by Representatives McMullen, Chair; Kremen, Vice Chair; Braddock, Day, Dobbs, Doty, Hargrove, J. King, May, Niemi, Schmidt, Schoon, Scott, Silver, L. Smith, Smitherman, Thomas, van Dyke, Vekich and Wineberry.

Absent: Representatives Lundquist, Rayburn, Tanner and B. Williams.

Passed to Committee on Rules for second reading.

April 3, 1985

SSB 3684 Prime Sponsor, Committee on Ways & Means: Modifying provisions on the state lottery. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with amendment by Committee on Commerce & Labor. (For amendment, see Journal, 75th Day, March 29, 1985.) Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Brekke, Bristow, Hastings, Hine, Holland, J. King, Locke, Long, Madsen, G. Nelson, Niemi, Rust, Sanders, Silver, L. Smith, Smitherman, Sommers, Taylor and Vander Stoep.

Absent: Representatives Appelwick, Brekke, Long, Tilly and B. Williams.

Passed to Committee on Rules for second reading.

April 2, 1985

ESSB 3696 Prime Sponsor, Committee on Commerce & Labor: Providing public works financing and allocating the private activity bond ceiling. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass with the following amendments:  
Strike everything after the enacting clause and insert the following:

\*PUBLIC WORKS

NEW SECTION. Sec. 1. LEGISLATIVE FINDINGS AND POLICY. The legislature finds that there exists in the state of Washington over four billion dollars worth of critical projects for the planning, acquisition, construction, repair, replacement, rehabilitation, or improvement of streets and roads, bridges, water systems, and storm and sanitary sewage systems. The December, 1983 Washington state public works report prepared by the planning and community affairs agency documented that local governments expect to be capable of financing over two billion dollars worth of the costs of those critical projects but will not be able to fund nearly half of the documented needs. It is the policy of the state of Washington to encourage self-reliance by local governments in meeting their public works needs and to assist in the financing of critical public works projects by making loans, financing guarantees, and technical assistance available to local governments for these projects.

**NEW SECTION, Sec. 2. DEFINITIONS.** Unless the context clearly requires otherwise, the definitions in this section shall apply throughout this chapter.

(1) 'Board' means the community economic revitalization board as created by chapter 43.160 RCW.

(2) 'Public works subcommittee' means the subcommittee created by section 12 of this act.

(3) 'Department' means the department of community development.

(4) 'Financing guarantees' means the pledge of money in the public works assistance account, or money to be received by the public works assistance account, to the repayment of all or a portion of the principal of or interest on obligations issued by local governments to finance public works projects.

(5) 'Local governments' means cities, towns, counties, special purpose districts, and any other municipal corporations or quasi-municipal corporations in the state excluding school districts and port districts.

(6) 'Public works project' means a project of a local government for the planning, acquisition, construction, repair, reconstruction, replacement, rehabilitation, or improvement of streets and roads, bridges, water systems, or storm and sanitary sewage systems.

(7) 'Technical assistance' means training and other services provided to local governments to (a) help such local governments plan, apply, and qualify for loans and financing guarantees from the board and (b) help local governments improve their ability to plan for, finance, acquire, construct, repair, replace, rehabilitate, and maintain public facilities.

**NEW SECTION, Sec. 3. GENERAL POWERS OF THE BOARD.** For the purpose of implementing this chapter, the board may:

(1) Accept from any state or federal agency, loans or grants for the planning or financing of any public works project and enter into agreements with any such agency concerning the loans or grants;

(2) Provide technical assistance to local governments;

(3) Accept any gifts, grants, or loans of funds, property, or financial or other aid in any form from any other source on any terms and conditions which are not in conflict with this chapter;

(4) Adopt rules under chapter 34.04 RCW as necessary to carry out the purposes of this chapter;

(5) Delegate to the public works subcommittee of the board, by rule, any of its powers under this chapter; and

(6) Do all acts and things necessary or convenient to carry out the powers expressly granted or implied under this chapter.

**NEW SECTION, Sec. 4. PUBLIC WORKS FINANCING POWERS.** In order to aid the financing of public works projects, the board may:

(1) Make low-interest loans to local governments from the public works assistance account or other funds and accounts for the purpose of assisting local governments in financing public works projects. The board may require such terms and conditions and may charge such rates of interest on its loans as it deems necessary or convenient to carry out the purposes of this chapter. Money received from local governments in repayment of loans made under this section shall be paid into the public works assistance account for uses consistent with this chapter.

(2) Pledge money in the public works assistance account, or money to be received by the public works assistance account, to the repayment of all or a portion of the principal of or interest on obligations issued by local governments to finance public works projects. The board shall not pledge any amount greater than the sum of money in the public works assistance account plus money to be received from the payment of the debt service on loans made from that account, nor shall the board pledge the faith and credit or the taxing power of the state or any agency or subdivision thereof to the repayment of obligations issued by any local government.

(3) Create such subaccounts in the public works assistance account as the board deems necessary to carry out the purposes of this chapter.

(4) Provide a method for the allocation of loans and financing guarantees and the provision of technical assistance under this chapter which shall be based on the recommendations of the public works subcommittee.

All local public works projects aided in whole or in part under the provisions of this chapter shall be put out for competitive bids. The competitive bids called for shall be administered in the same manner as all other public works projects put out for competitive bidding by the local governmental entity aided under this chapter.

**NEW SECTION, Sec. 5. PRIORITIES FOR LOANS AND PLEDGES.** The board shall set up a system of priorities it will use in making loans and providing financial guarantees and technical assistance under this chapter. Top priority will be given to (1) projects of local governments that have developed and implemented a financial plan to assure the continued funding for the repair and maintenance of existing public works; (2) projects of local governments that are contributing substantial local funds, but distressed areas with high unemployment may have a lower contribution requirement; and (3) projects that involve existing public works as defined in section 2(6) of this act. Additional factors to be considered include:



(a) The level of need of state assistance to each local government receiving such assistance;

(b) Public works projects that serve a number of communities or are funded by two or more local governments to share the costs of the assisted public works projects;

(c) The health and safety needs for particular public works projects proposed for assistance;

(d) The occurrence of natural disasters that create the need for assistance for public works projects;

(e) The existence of federal and state projects that create the need for assistance for public works projects;

(f) The need in a community to attract new employers, expand existing employers, or otherwise and the need for economic development and recognition of such need by the department of commerce and economic development which results in a community economic revitalization board allocation; and

(g) Such other criteria as the board deems appropriate.

In issuing rules setting forth the method of weighing the criteria set forth in this section, and selecting public works projects for assistance, the board shall endeavor to provide clear and understandable rules that will indicate to local governments the likelihood of receiving assistance from the board on particular public works projects. In adopting these rules the board shall consider the recommendations of the public works subcommittee.

NEW SECTION. Sec. 6. RECORDS, AUDITS, AND REPORTS. The board and the public works subcommittee shall keep proper records of accounts and shall be subject to audit by the state auditor. Annual reports on the activities of the board and the public works subcommittee in implementing this chapter shall be made by the department to the governor and the legislature at the start of each annual legislative session.

NEW SECTION. Sec. 7. REPEALER. The following acts or parts of acts are each repealed:

(1) Section 1, chapter 244, Laws of 1984 and RCW 43.63A.200;

(2) Section 2, chapter 244, Laws of 1984 and RCW 43.79.450; and

(3) Section 3, chapter 244, Laws of 1984 and RCW 43.79.452.

NEW SECTION. Sec. 8. CAPTIONS. As used in this act, section captions constitute no part of the law.

NEW SECTION. Sec. 9. CODIFICATION. Sections 1 through 6 of this act shall constitute a new chapter in Title 43 RCW.

#### COMMUNITY ECONOMIC REVITALIZATION BOARD

Sec. 10. Section 3, chapter 40, Laws of 1982 1st ex. sess. as last amended by section 89, chapter 287, Laws of 1984 and RCW 43.160.030 are each amended to read as follows:

(1) The community economic revitalization board is hereby created to exercise the powers granted under this chapter.

(2) The board shall consist of ~~((nine))~~ eleven persons appointed by the governor ~~((and))~~, the director of commerce and economic development, the director of ~~((planning and community affairs))~~ community development, the director of revenue, the commissioner of employment security, and ~~((the chairmen))~~ a majority member and a minority member of the committee on ~~((commerce))~~ trade and economic development of the house of representatives; and a majority member and a minority member of the committee on commerce and labor of the senate, or the equivalent standing committees, for a total of ~~((seventeen))~~ nineteen members. Legislative members shall be chosen by the leader of their respective caucuses. The appointive members shall be as follows: A recognized private or public sector economist selected from the governor's council of economic advisors; one port district official; one county official; one city official; one representative of the public; one representative of small businesses each from: (a) The area west of Puget Sound, (b) the area east of Puget Sound and west of the Cascade range, (c) the area east of the Cascade range and west of the Columbia river, and (d) the area east of the Columbia river; one executive from large businesses each from the area west of the Cascades and the area east of the Cascades. The appointive members shall initially be appointed to terms as follows: Three members for one-year terms, three members for two-year terms, and three members for three-year terms which shall include the chairman. Thereafter each succeeding term shall be for three years. The representative from the governor's council of economic advisors shall serve as chairman of the board. The director of the department of commerce and economic development shall serve as vice chairman.

(3) Staff support shall be provided by the department of commerce and economic development to assist the board in implementing this chapter and the allocation of private activity bonds under chapter 39.-- RCW (sections 20 through 28 of this 1985 act).

(4) Staff support shall be provided by the department of community development to assist the board in implementing the public works provisions of chapter 43.-- RCW (sections 1 through 6 of this 1985 act).

(5) All appointive members of the board shall be compensated in accordance with RCW 43.03.240 and shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060.

~~((5))~~ (6) If a vacancy occurs by death, resignation, or otherwise of appointive members of the board, the governor shall fill the same for the unexpired term. Any members of the board, appointive or otherwise, may be removed for malfeasance or misfeasance in office, upon specific written charges by the governor, under chapter 34.04 RCW. At the recommendation of the chairman of the board, the appointing authority may remove a member for the member's failure to attend three consecutive meetings of the board or to participate in the business of the board.

Sec. 11. Section 5, chapter 40, Laws of 1982 1st ex. sess. and RCW 43.160.050 are each amended to read as follows:

In addition to powers and duties granted elsewhere in this chapter, the board may:

- (1) Adopt bylaws for the regulation of its affairs and the conduct of its business;
- (2) Adopt an official seal and alter the seal at its pleasure;
- (3) Contract with any consultants as may be necessary or desirable for its purposes and to fix the compensation of the consultants;
- (4) Utilize the services of other governmental agencies;
- (5) Accept from any federal agency loans or grants for the planning or financing of any project and enter into an agreement with the agency respecting the loans or grants;
- (6) Conduct examinations and investigations and take testimony at public or private hearings of any matter material for its information that will assist in determinations related to the exercise of the board's lawful powers;

(7) Make allocations of the state's private activity bonds pursuant to chapter 39.-- RCW (sections 20 through 28 of this 1985 act);

(8) Make pledges and loans and provide technical assistance pursuant to chapter 43.-- RCW (sections 1 through 6 of this 1985 act);

(9) Accept any gifts, grants, or loans of funds, property, or financial or other aid in any form from any other source on any terms and conditions which are not in conflict with this chapter;

~~((9))~~ (10) Adopt rules under chapter 34.04 RCW as necessary to carry out the purposes of this chapter, chapter 39.-- RCW (sections 20 through 28 of this 1985 act), and chapter 43.-- RCW (sections 1 through 6 of this 1985 act);

~~((9))~~ (11) Do all acts and things necessary or convenient to carry out the powers expressly granted or implied under this chapter.

**NEW SECTION.** Sec. 12. A new section is added to chapter 43.160 RCW to read as follows:

(1) There is hereby created the public works subcommittee of the board.

(2) The subcommittee shall be primarily responsible for providing the board with recommendations for: (a) Establishing a method of allocation for loans and financing guarantees; (b) providing technical assistance to local governments; and (c) adopting rules which set forth the method of weighing the criteria and selection of public works projects for assistance, pursuant to chapter 43.-- RCW (sections 1 through 6 of this act) and as authorized by rules adopted by the board.

(3) The subcommittee shall consist of six members appointed by the governor to four-year terms, except that initially two members shall be appointed to two-year terms, and three members of the board: (a) The chairman; (b) the county official; and (c) the city official. The appointed members shall include: (i) One member appointed from a list of at least three persons nominated by the association of Washington cities or its successor; (ii) one member appointed from a list of at least three persons nominated by the Washington state association of counties or its successor; (iii) two members appointed from a list of at least four persons nominated jointly by the Washington state association of water districts and the Washington state association of sewer districts or their successors; and (iv) two members appointed from the general public. In appointing the two general public members, the governor shall endeavor to balance the geographical composition of the board and to include members with special expertise in relevant fields such as public finance, architecture and civil engineering, and public works construction. The chairman of the board shall serve as chair of the subcommittee.

(4) Staff support to the subcommittee shall be provided by the department of community development.

(5) Members of the subcommittee shall receive no compensation but shall be reimbursed for travel expenses under RCW 43.03.050 and 43.03.060.

(6) If a vacancy on the subcommittee occurs by death, resignation, failure to hold the office from which the member was appointed, or otherwise, the governor shall fill the vacant position for the unexpired term. Each vacancy in a position appointed from lists provided by the associations under subsection (3) of this section shall be filled from a list of at least three persons nominated by the relevant association or associations. Any members of the subcommittee, appointive or otherwise, may be removed by the governor for cause in accordance with RCW 43.06.070 and 43.06.080.

**NEW SECTION.** Sec. 13. A new section is added to chapter 43.160 RCW to read as follows:

(1) There is hereby created the private activity bond subcommittee of the board.

(2) The subcommittee shall be primarily responsible for reviewing and making recommendations to the board on requests for certification and allocation pursuant to the provisions

of chapter 39. RCW (sections 20 through 28 of this act) and as authorized by rules adopted by the board.

(3) The subcommittee shall consist of the following members: (a) Five members of the board including: (i) The chairman; (ii) the county official; (iii) the city official; (iv) the port district official; and (v) the representative of the public; and (b) four members of the public works subcommittee created by section 12 of this act including: (i) The county official who is not a member of the board; (ii) the city official who is not a member of the board; (iii) a special purpose district official designated to serve on this subcommittee by the governor; and (iv) a general public representative designated to serve on this subcommittee by the governor. The members' terms shall coincide with their terms of appointment to the board or public works subcommittee, as appropriate.

(4) Staff support to the subcommittee shall be provided by the department of commerce and economic development.

(5) Members of the subcommittee shall receive no compensation but shall be reimbursed for travel expenses under RCW 43.03.050 and 43.03.060.

(6) If a vacancy on the subcommittee occurs by death, resignation, failure to hold the office from which the member was appointed, or otherwise, the vacancy shall be filled through the procedures specified for filling the corresponding vacancy on the board or the public works subcommittee.

Sec. 14, Section 6, chapter 40, Laws of 1982 1st ex. sess. as amended by section 3, chapter 60, Laws of 1983 1st ex. sess. and RCW 43.160.060 are each amended to read as follows:

The board is authorized to make direct loans to political subdivisions of the state for the purposes of assisting the political subdivisions in financing the cost of public facilities, including the cost of acquisition and development of land and improvements for public facilities, as well as the acquisition, construction, rehabilitation, alteration, expansion, or improvement of the facilities. ~~((Grants)) A grant may also be authorized for purposes designated in this chapter, but only when ((grants are uniquely required)), and to the extent that, a loan is not reasonably possible, given the limited resources of the political subdivision.~~

Application for funds shall be made in the form and manner as the board may prescribe. In making grants or loans the board shall conform to the following requirements:

(1) The board shall not make a grant or loan unless the application includes convincing evidence that a specific private development or expansion is ready to occur and will only occur if the grant or loan is made.

(2) The board shall only make grants or loans for those projects which would result in specific private developments or expansions (a) in manufacturing, production, food processing, assembly, warehousing, and industrial distribution, or (b) which substantially support the trading of goods or services outside of the state's borders. In no instance may the board make a grant or loan for a project where the primary purpose is to facilitate or promote a retail shopping development or expansion.

(3) The board shall prioritize each proposed project according to the number of jobs it would create after the project is completed and according to the unemployment rate in the area in which the jobs would be located. As long as there is more demand for loans or grants than there are funds available for loans or grants, the board is instructed to fund ((those)) projects ((which will lead to the greatest employment once the initial project is completed)) in order of their priority.

(4) The board may not make a grant or loan for any project that probably would result in a development or expansion that would displace existing jobs in any other community in the state.

(5) The board may not make any grant or loan for the acquisition of real property, including buildings and other fixtures which are a part of real property.

(6) A responsible official of the political subdivision shall be present during board deliberations and provide information that the board requests.

~~((Public facilities funds shall be used for projects to))~~ (7) The board shall only make loans or grants for projects which it finds will improve the opportunities for the successful maintenance, establishment, or expansion of industrial or commercial plants or will otherwise assist in the creation or retention of long-term economic opportunities. ((The board shall determine whether or not the projects will assist in alleviating unemployment.))

(8) Before any loan or grant application is approved, the political ((subdivisions of the state)) subdivision seeking the loan or grant must demonstrate to the community economic revitalization board that no other timely source of funding is available to ((them)) it at costs reasonably similar to financing available from the community economic revitalization board.

This section applies to all financial assistance granted by the board, other than assistance granted under chapter -- RCW (sections 1 through 6 of this 1985 act).

NEW SECTION. Sec. 15. A new section is added to chapter 43.160 RCW to read as follows:

Each agency head of an executive branch agency who is appointed to the community economic revitalization board under RCW 43.160.030 may designate an agency employee to take his or her place on the board for meetings in which the agency head will be absent. The

designee shall have all powers to vote and participate in board deliberations as have the other board members.

NEW SECTION. Sec. 16. A new section is added to chapter 43.160 RCW to read as follows:

In order to enhance competition for grants and loans under this chapter and the quality of projects for which loans and grants are sought, the board shall take such reasonable measures as are necessary to familiarize government officials and members of the public with the provisions of this chapter, particularly the board's authority to make grants and loans.

NEW SECTION. Sec. 17. A new section is added to chapter 43.160 RCW to read as follows:

(1) Except as authorized to the contrary under subsection (2) of this section, from all funds available under this chapter to the board for loans and grants, the board shall spend at least twenty percent for grants and loans for projects in distressed counties. For purposes of this section, the term 'distressed counties' includes any county, in which the average level of unemployment for the three years before the year in which an application for a loan or grant is filed, exceeds the average state unemployment rate for those years by twenty percent.

(2) If at any time during the last six months of a biennium the board finds that the actual and anticipated applications for qualified projects in distressed counties are clearly insufficient to use up the twenty percent allocation, then the board shall estimate the amount of the insufficiency and during the remainder of the biennium may use that amount of the allocation for loans and grants for projects not located in distressed counties.

Sec. 18. Section 8, chapter 40, Laws of 1982 1st ex. sess. as last amended by section 12, chapter 257, Laws of 1984 and RCW 43.160.080 are each amended to read as follows:

There shall be a fund known as the public facilities construction loan revolving fund (~~which shall consist of~~). This fund shall consist of the following moneys which shall be deposited into it: (1) All moneys collected under this chapter, except moneys of the board collected in connection with the issuance of industrial development revenue bonds under RCW 43.160.110 through 43.160.170 (~~and~~); (2) all principal and interest payments which are on loans made by the previously existing economic assistance authority and which are received on or after the effective date of this 1985 act; (3) any moneys appropriated or transferred to it by law (~~PROVIDED, That seventy-five percent of~~); and (4) all principal and interest payments on loans made with the proceeds deposited in the fund under section 901, chapter 57, Laws of 1983 1st ex. sess. (~~shall be deposited in the general fund as reimbursement for debt service payments on the bonds authorized in RCW 43.83.104~~.) The state treasurer shall be custodian of the revolving fund. Disbursements from the revolving fund shall be on authorization of the board. In order to maintain an effective expenditure and revenue control, the public facilities construction loan revolving fund shall be subject in all respects to chapter 43.88 RCW, but no appropriation is required to permit expenditures and payment of obligations from the fund.

Moneys in this fund not needed to meet the current expenses and obligations of the board shall be invested in the manner authorized for moneys in revolving funds. Any interest earned shall be deposited in this fund and shall be used for the purposes specified in this chapter. The state treasurer shall render reports to the board advising of the status of any funds invested, the market value of the assets as of the date the statement is rendered, and the income received from the investments during the period covered by the report.

NEW SECTION. Sec. 19. The state treasurer shall immediately transfer to the public facilities construction loan revolving fund any moneys existing in that special account containing moneys which were paid as principal and interest on loans made by the economic assistance authority or which would have been deposited under former RCW 43.31A.320 had it not been repealed.

#### PRIVATE ACTIVITY BONDS

NEW SECTION. Sec. 20. LEGISLATIVE FINDINGS AND POLICY. The federal deficit reduction act of 1984 imposes an annual ceiling on the aggregate amount of federally tax-exempt private activity bonds, including student loan bonds, industrial development bonds, and certain government activity bonds, that may be issued during any calendar year by or on behalf of states and their political subdivisions. The deficit reduction act of 1984 provides a formula for allocating the annual ceiling among various issuers of private activity bonds within a state, but permits each state to enact a different allocation method that is appropriate to that state's needs. The purpose of this chapter is to provide a flexible and efficient method of allocating the state ceiling in Washington in a manner that recognizes the need of the state and its political subdivisions to finance public improvements which are owned by those public entities and also promotes industrial and economic development, encourages private investment, and assists students seeking financial aid.

NEW SECTION. Sec. 21. DEFINITIONS. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) 'Board' means the community economic revitalization board as created by chapter 43.160 RCW.

(2) 'Private activity bond subcommittee' means the subcommittee created by section 13 of this act.

(3) 'Bonds' means bonds, notes, or other obligations of an issuer.

(4) 'Bond purchase agreement' means an executed agreement for the purchase of bonds which may or may not be contingent on the allocation of a portion of the state ceiling for the bonds.

(5) 'Bond use category' means any of the following categories of bonds: Government activity bonds, industrial development bonds, or student loan bonds.

(6) 'Code' means the federal internal revenue code as it exists, with amendments, on the effective date of this act. It also means the code as amended after the effective date of this act, but only if the amendments are approved by the board as provided in section 25 of this act.

(7) 'Department' means the department of commerce and economic development or its successor with respect to the powers and duties granted by this chapter.

(8) 'Director' means the director of the department or the director's designee.

(9) 'Government activity bonds' means bonds that are classified as private activity bonds under the code and that are neither student loan bonds nor revenue bonds issued under Article XXXII of the state Constitution.

(10) 'Industrial development bonds' means nonrecourse revenue bonds issued under Article XXXII of the state Constitution.

(11) 'Issuer' means the state, any agency or instrumentality of the state, any political subdivision, or any other entity authorized to issue private activity bonds in the state.

(12) 'Private activity bonds' means bonds that are private activity bonds as defined in the code.

(13) 'State' means the state of Washington.

(14) 'State ceiling' means for any calendar year the aggregate amount of private activity bonds that may be issued in the state under the code.

(15) 'Student loan bonds' means bonds issued by an issuer that are student loan bonds as defined in the code.

**NEW SECTION. Sec. 22. ALLOCATION.** (1) The state ceiling shall be allocated each year initially as follows: Forty-five percent to government activity bonds; forty-five percent to industrial development bonds; and ten percent to student loan bonds. The allocation is subject to revision by the board as provided in section 24 of this act.

(2)(a) No issuer is eligible to file a notification form or receive an allocation for the financing of an individual project of more than seven and one-half million dollars of any government activity bond or industrial development bond allocation of the state ceiling without a certificate of approval from the board.

(b) In determining whether to issue a certificate of approval, the board may consider but is not limited to the following criteria:

(i) The number of employment opportunities the project is likely to create in relation to the amount of the bond issuance;

(ii) The level of unemployment in the geographic area likely to be affected by the project;

(iii) Public health and safety benefits;

(iv) The amount of state ceiling which remains unallocated;

(v) The number of persons who will benefit from the project; and

(vi) Other such criteria the board deems appropriate.

(c) The board may condition its certificate of approval on any terms it deems appropriate.

(3) The board shall issue or deny a certificate of approval within sixty days of the filing for an application for the certificate.

(4) The board may delegate to the private activity bond subcommittee of the board, by rule, any of its powers under this chapter.

(5) Subject to the provisions of this chapter, the portion of the state ceiling allocated to a bond use category shall be allocated to an issuer of bonds in that category in the order of the date and time the issuer files a properly completed and signed notification form with the department.

**NEW SECTION. Sec. 23.** (1) The notification form filed by an issuer shall identify: (a) The amount of the state ceiling allocation that is sought; (b) the bond use category from which the allocation is to be made; (c) a certification by the issuer that a bond purchase agreement has been executed with respect to the bonds for which an allocation is sought; and (d) such other information or evidence of the issuer's intention to issue bonds as the director prescribes.

(2) If the principal amount of the bonds for which an allocation of the state ceiling is sought does not exceed the amount of the state ceiling available in the bond use category applicable to the bonds, the director shall mail a written allocation confirmation notice to the issuer within five business days after the filing of the issuer's notification form for the bonds.

(3) If the principal amount of the bonds for which an allocation of the state ceiling is sought exceeds the amount of the state ceiling available in the bond use category applicable, the director shall mail a written deficiency notice to the issuer within five business days after the filing of the issuer's notification form for such bonds and in that notice advise the issuer of the amount by which the principal amount of the bonds described in the notification form exceeds the available state ceiling. The issuer shall be entitled to an allocation of the remaining available state ceiling in the applicable bond use category upon its filing with the department

within fifteen calendar days after the date of the director's deficiency notice, a written notice of the amount of the available state ceiling it will consume.

(4) State ceiling allocation notification forms filed in any year for which a full or partial deficiency notice was given by the director shall be retained on a waiting list. When any state ceiling becomes available that year or on January 1 of the following year for the bond use category for which the notification form was filed, the following rules apply: (a) The director shall notify by mail the issuers on the waiting list; and (b) those issuers who, within five business days of receipt of such notice, certify to the director their intention to issue bonds up to the amount stated in the original notification form, shall receive an allocation of the available state ceiling in the order the original notification forms were filed.

(5) Except as provided in section 24 (2) and (3) of this act, all allocations of the state ceiling shall expire on the ninety-first day after mailing of the director's allocation confirmation or the notice of allocation, unless the bonds described in the issuer's state ceiling allocation notification form have been delivered to their original purchaser. Each issuer shall file a confirmation of delivery notice with the department within ten days after delivery of the bonds.

**NEW SECTION. Sec. 24. REALLOCATION.** (1) After June 1 of any year the board may reallocate any bond use category it determines unlikely to exceed the amount allocated in section 22(1) of this act.

(2) The board may in its discretion grant an advanced allocation of the state ceiling in any future year of a portion of the state ceiling for a bond use category, upon such conditions as the board may determine, and may waive the requirements under section 23(5) of this act that the bonds be issued within ninety days of the director's allocation confirmation and notice of allocation. Advanced allocations shall be deemed to have been received by issuers on January 1 of the year for which they are granted in each year, and in the order they were granted. Any advanced allocation shall be contingent on the existence of available state ceiling. Such advanced allocations shall be considered received before any new allocations are made in a given year.

(3) In December of any year, if the board finds that it is reasonably likely that a portion of the state ceiling otherwise would not be consumed, the board, in its discretion, may grant an allocation of the state ceiling to an issuer for financing of a specific project and waive the requirements under section 23(5) of this act that bonds be issued within ninety days after mailing of the director's allocation confirmation or notice of allocation. The issuer may then carry forward the allocation for the project for a period of time permitted by the code.

**NEW SECTION. Sec. 25. RULE-MAKING AUTHORITY.** (1) The board may adopt such rules as are necessary to carry out the purposes of this chapter.

(2) In order to permit the full use of the authorized state ceiling under the federal law, the board may adopt rules approving any amendments made to the code after the effective date of this act.

**NEW SECTION. Sec. 26. ANNUAL REPORT.** The department shall report annually at the start of each annual legislative session to the legislature and the governor on the allocations of the state ceiling made during the previous year.

**NEW SECTION. Sec. 27. TERMINATION.** The method for making new allocations of the state ceiling provided in sections 22, 23, and 24 of this act shall expire on December 31, 1988, unless extended by law for an additional fixed period of time, except that any advanced allocations granted under section 24(2) of this act and any allocations carried forward under section 24(3) of this act shall remain in full force and effect after that date.

**NEW SECTION. Sec. 28. RATIFICATION.** Any state ceiling allocations taken during 1984 or 1985 in conformance with the code and an applicable executive order of the governor are ratified and confirmed and shall remain in full force and effect notwithstanding any other provision of this act.

Sec. 29. Section 10, chapter 40, Laws of 1982 1st ex. sess. and RCW 43.160.900 are each amended to read as follows:

The community economic revitalization board and its powers and duties shall be terminated on June 30, 1987, and shall be subject to the procedures required by chapter 43.131 RCW. This chapter expires June 30, ((1987)) 1988. Any remaining duties of the community economic revitalization board after June 30, 1987, are transferred to the department of revenue on June 30, 1987.

**NEW SECTION. Sec. 30.** Sections 20 through 28 of this act shall constitute a new chapter in Title 39 RCW.

**NEW SECTION. Sec. 31.** The following acts or parts of acts are each repealed:

- (1) Section 1, chapter \_\_\_\_ (ESSB 3798), Laws of 1985;
- (2) Section 2, chapter \_\_\_\_ (ESSB 3798), Laws of 1985;
- (3) Section 3, chapter \_\_\_\_ (ESSB 3798), Laws of 1985;
- (4) Section 4, chapter \_\_\_\_ (ESSB 3798), Laws of 1985;
- (5) Section 5, chapter \_\_\_\_ (ESSB 3798), Laws of 1985;
- (6) Section 6, chapter \_\_\_\_ (ESSB 3798), Laws of 1985;
- (7) Section 8, chapter \_\_\_\_ (ESSB 3798), Laws of 1985;
- (8) Section 15, chapter \_\_\_\_ (ESSB 3798), Laws of 1985;

- (9) Section 16, chapter \_\_\_\_ (ESSB 3798), Laws of 1985;  
 (10) Section 17, chapter \_\_\_\_ (ESSB 3798), Laws of 1985;  
 (11) Section 18, chapter \_\_\_\_ (ESSB 3798), Laws of 1985; and  
 (12) Section 19, chapter \_\_\_\_ (ESSB 3798), Laws of 1985.

**NEW SECTION.** Sec. 32. 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. 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 July 1, 1985."

On page 1, line 1 of the title, after "development;" strike the remainder of the title and insert "amending RCW 43.160.030, 43.160.060, 43.160.080, 43.160.050, and 43.160.900; adding a new chapter to Title 43 RCW; adding a new chapter to Title 39 RCW; adding new sections to chapter 43.160 RCW; creating new sections; repealing RCW 43.63A.200, 43.79.450, and 43.79.452; repealing section 1, chapter \_\_\_\_ (ESSB 3798), Laws of 1985; repealing section 2, chapter \_\_\_\_ (ESSB 3798), Laws of 1985; repealing section 3, chapter \_\_\_\_ (ESSB 3798), Laws of 1985; repealing section 4, chapter \_\_\_\_ (ESSB 3798), Laws of 1985; repealing section 5, chapter \_\_\_\_ (ESSB 3798), Laws of 1985; repealing section 6, chapter \_\_\_\_ (ESSB 3798), Laws of 1985; repealing section 8, chapter \_\_\_\_ (ESSB 3798), Laws of 1985; repealing section 15, chapter \_\_\_\_ (ESSB 3798), Laws of 1985; repealing section 16, chapter \_\_\_\_ (ESSB 3798), Laws of 1985; repealing section 17, chapter \_\_\_\_ (ESSB 3798), Laws of 1985; repealing section 18, chapter \_\_\_\_ (ESSB 3798), Laws of 1985; repealing section 19, chapter \_\_\_\_ (ESSB 3798), Laws of 1985; providing an effective date; and declaring an emergency."

Signed by Representatives McMullen, Chair; Kremen, Vice Chair; Braddock, Day, Doty, J. King, May, Niemi, Rayburn, Scott, Silver, L. Smith, Smitherman, van Dyke, Vekich and Wineberry.

Absent: Representatives Dobbs, Lundquist, Schmidt, Schoon, Tanner, Thomas and B. Williams.

Passed to Committee on Rules for second reading.

April 3, 1985

**SB 3794** Prime Sponsor, Senator Granlund: Permitting schools or institutions of higher education to purchase certain public lands. Reported by Committee on Higher Education

**MAJORITY recommendation:** Do pass. Signed by Representatives Sommers, Chair; Jacobsen, Vice Chair; Allen, Basich, Belcher, Hastings, D. Nelson, G. Nelson, Prince, Silver, Unsoeld, Vander Stoep, K. Wilson and Wineberry.

Absent: Representatives Basich, Miller and D. Nelson.

Passed to Committee on Rules for second reading.

April 3, 1985

**SSB 3797** Prime Sponsor, Committee on Education: Revising the laws for the state school for the deaf and the state school for the blind. Reported by Committee on Education

**MAJORITY recommendation:** Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

**\*NEW SECTION.** Sec. 1. All powers, duties, and functions of the department of social and health services pertaining to the state school for the blind and the state school for the deaf are transferred to the state school for the blind and the state school for the deaf, respectively.

**NEW SECTION.** Sec. 2. All reports, documents, surveys, books, records, files, papers, or written material in the possession of the department of social and health services and pertaining to the powers, functions, and duties transferred by section 1 of this act shall be delivered to the custody of the state school for the blind and the state school for the deaf, as applicable. All cabinets, furniture, office equipment, motor vehicles, and other tangible property employed by the department of social and health services in carrying out the powers, functions, and duties transferred by section 1 of this act shall be made available to the state school for the blind and the state school for the deaf, as applicable. All funds, credits, or other assets including but not limited to any real and personal property held in connection with the powers, functions, and duties transferred by section 1 of this act shall be assigned to the state school for the blind and the state school for the deaf, as applicable.

Any appropriations made to the department of social and health services for carrying out the powers, functions, and duties transferred by section 1 of this act shall, on the effective date

of this act, be transferred and credited to the state school for the blind and the state school for the deaf, as applicable.

Whenever any question arises as to the transfer of any personnel, funds, books, documents, records, papers, files, equipment, or other tangible property used or held in the exercise of the powers and the performance of the duties and functions transferred, the director of financial management shall make a determination as to the proper allocation and certify the same to the state agencies concerned.

**NEW SECTION.** Sec. 3. All classified employees of the department of social and health services engaged in performing the powers, functions, and duties transferred by section 1 of this act are transferred to the jurisdiction of the state school for the blind and the state school for the deaf. All employees classified under chapter 41.06 RCW, the state civil service law, are assigned to the state school for the blind and the state school for the deaf, as applicable, to perform their usual duties upon the same terms as formerly, without any loss of rights including but not limited to current employees existing promotional, transfer, and reduction in force rights, subject to any action that may be appropriate thereafter in accordance with the laws and rules governing state civil service.

**NEW SECTION.** Sec. 4. All rules and all pending business before the department of social and health services pertaining to the powers, functions, and duties transferred by section 1 of this act shall be continued and acted upon by the state school for the blind and the state school for the deaf, as applicable. All existing contracts and obligations shall remain in full force and shall be performed by the state school for the blind and the state school for the deaf.

**NEW SECTION.** Sec. 5. The transfer of the powers, duties, functions, and personnel of the department of social and health services shall not affect the validity of any act performed by such employee prior to the effective date of this act.

**NEW SECTION.** Sec. 6. If apportionments of budgeted funds are required because of the transfers directed by sections 2 through 5 of this act, the director of financial management shall certify the apportionments to the agencies affected, the state auditor, and the state treasurer. Each of these shall make the appropriate transfer and adjustments in funds and appropriation accounts and equipment records in accordance with the certification.

**NEW SECTION.** Sec. 7. Nothing contained in sections 1 through 6 of this act may be construed to alter any existing collective bargaining unit or the provisions of any existing collective bargaining agreement until the agreement has expired or until the bargaining unit has been modified by action of the personnel board as provided by law.

Sec. 8. Section 72.01.050, chapter 28, Laws of 1959 as last amended by section 68, chapter 136, Laws of 1981 and RCW 72.01.050 are each amended to read as follows:

(1) The secretary of social and health services shall have full power to manage and govern the following public institutions: The western state hospital, the eastern state hospital, the northern state hospital, the state training school, the state school for girls, Lakeland Village, the Rainier school, ~~((the state school for the deaf, the state school for the blind;))~~ and such other institutions as authorized by law, subject only to the limitations contained in laws relating to the management of such institutions.

(2) The secretary of corrections shall have full power to manage and govern the following public institutions: The state penitentiary, the state reformatory, the Washington corrections center, the McNeil Island penitentiary, the Purdy treatment center for women, the Cedar Creek corrections center, the Clearwater corrections center, the Firland correctional center, the Indian Ridge treatment center, the Larch corrections center, the Olympic correctional center, Pine Lodge correctional center, and the special offender center, subject only to the limitations contained in laws relating to the management of such institutions.

(3) If any of the facilities specified in subsection (2) of this section is fully or partially destroyed by natural causes or otherwise, the secretary of corrections may, with the approval of the governor, provide for the establishment and operation of additional residential correctional facilities to place those inmates displaced by such destruction. However, such additional facilities may not be established if there are existing residential correctional facilities to which all of the displaced inmates can be appropriately placed. The establishment and operation of any additional facility shall be on a temporary basis, and the facility may not be operated beyond July 1 of the year following the year in which it was partially or fully destroyed.

Sec. 9. Section 72.05.010, chapter 28, Laws of 1959 as last amended by section 7, chapter 167, Laws of 1980 and RCW 72.05.010 are each amended to read as follows:

The purposes of RCW 72.05.010 through 72.05.210 are: To provide for every child with behavior problems, mentally and physically handicapped persons, and ~~((deaf and blind))~~ hearing and visually impaired children, within the purview of RCW 72.05.010 through 72.05.210, as now or hereafter amended, such care, guidance and instruction, control and treatment as will best serve the welfare of the child or person and society; to insure nonpolitical and qualified operation, supervision, management, and control of the Green Hill school, the Maple Lane school, the Naselle Youth Camp, the Mission Creek Youth Camp, Echo Glen, the Cascadia Diagnostic Center, Lakeland Village, Rainier school, the Yakima Valley school, Interlake school, Fircrest school, the Francis Haddon Morgan Center, the Child Study and Treatment Center and Secondary School of Western State Hospital, ~~((the state school for the blind, the state~~



school for the deaf;)) and like residential state schools, camps and centers hereafter established, and to place them under the department of social and health services except where specified otherwise; and to provide for the persons committed or admitted to those schools that type of care, instruction, and treatment most likely to accomplish their rehabilitation and restoration to normal citizenship.

Sec. 10. Section 72.05.130, chapter 28, Laws of 1959 as last amended by section 12, chapter 191, Laws of 1983 and RCW 72.05.130 are each amended to read as follows:

The department shall establish, maintain, operate and administer a comprehensive program for the custody, care, education, treatment, instruction, guidance, control and rehabilitation of all persons who may be committed or admitted to institutions, schools, or other facilities controlled and operated by the department, except for the programs of education provided pursuant to RCW 28A.58.772 through 28A.58.776, as now or hereafter amended, which shall be established, operated and administered by the school district conducting the program, and in order to accomplish these purposes, the powers and duties of the secretary shall include the following:

(1) The assembling, analyzing, tabulating, and reproduction in report form, of statistics and other data with respect to children with behavior problems in the state of Washington, including, but not limited to, the extent, kind, and causes of such behavior problems in the different areas and population centers of the state. Such reports shall not be open to public inspection, but shall be open to the inspection of the governor and to the superior court judges of the state of Washington.

(2) The establishment and supervision of diagnostic facilities and services in connection with the custody, care, and treatment of mentally and physically handicapped, and behavior problem children who may be committed or admitted to any of the institutions, schools, or facilities controlled and operated by the department, or who may be referred for such diagnosis and treatment by any superior court of this state. Such diagnostic services may be established in connection with, or apart from, any other state institution under the supervision and direction of the secretary. Such diagnostic services shall be available to the superior courts of the state for persons referred for such services by them prior to commitment, or admission to, any school, institution, or other facility. Such diagnostic services shall also be available to other departments of the state. When the secretary determines it necessary, the secretary may create waiting lists and set priorities for use of diagnostic services for juvenile offenders on the basis of those most severely in need.

(3) The supervision of all persons committed or admitted to any institution, school, or other facility operated by the department, and the transfer of such persons from any such institution, school, or facility to any other such school, institution, or facility: PROVIDED, That where a person has been committed to a minimum security institution, school, or facility by any of the superior courts of this state, a transfer to a close security institution shall be made only with the consent and approval of such court. ~~((This shall not apply to the state school for the deaf or the state school for the blind:))~~

(4) The supervision of parole, discharge, or other release, and the post-institutional placement of all persons committed to Green Hill school and Maple Lane school, or such as may be assigned, paroled, or transferred therefrom to other facilities operated by the department. Green Hill school and Maple Lane school are hereby designated as 'close security' institutions to which shall be given the custody of children with the most serious behavior problems.

Sec. 11. Section 72.40.010, chapter 28, Laws of 1959 and RCW 72.40.010 are each amended to read as follows:

There are established at Vancouver, Clark county, ~~((an institution))~~ a school which shall be known as the state school for the blind, and a separate ~~((institution))~~ school which shall be known as the state school for the deaf. The primary purpose of the state school for the blind and the state school for the deaf is to educate and train hearing and visually impaired children.

The schools shall be under the direction of their respective superintendents with the advice of the board of trustees.

NEW SECTION. Sec. 12. A new section is added to chapter 72.40 RCW to read as follows:

The hours of labor for each full time employee shall be a maximum of eight hours in any work day and forty hours in any work week.

Employees required to work in excess of the eight-hour maximum per day or the forty-hour maximum per week shall be compensated by not less than equal hours of compensatory time off or, in lieu thereof, a premium rate of pay per hour equal to not less than one-one hundred and seventy-sixth of the employee's gross monthly salary. If an employee is granted compensatory time off, such time off should be given within the calendar year and if such an arrangement is not possible the employee shall be given a premium rate of pay. However, compensatory time or payment in lieu thereof shall be allowed only for overtime as is duly authorized and accounted for under rules by each superintendent.

Sec. 13. Section 72.40.020, chapter 28, Laws of 1959 as amended by section 247, chapter 141, Laws of 1979 and RCW 72.40.020 are each amended to read as follows:

~~((The secretary shall appoint))~~ A superintendent for each ((institution)) school shall be appointed by the governor with the consent of the senate. The superintendents must be not less than thirty nor more than seventy years of age and must be practically acquainted with school management and class instruction of the ~~((blind and the deaf))~~ visually or hearing impaired, respectively, having had at least eight years experience in a program dedicated to teaching the hearing or visually impaired, respectively, which period shall include at least ((ten)) five years' actual experience in teaching ((in schools for)) such persons. The governor shall select the superintendents from lists of three applicants qualified under this section submitted by the respective boards of trustees.

~~((The secretary may discharge any employee in his discretion.))~~ The superintendents shall serve at the pleasure of the governor. The salaries of the superintendents shall be set by the governor under RCW 43.03.040.

NEW SECTION, Sec. 14. A new section is added to chapter 72.40 RCW to read as follows:

In addition to any other powers and duties prescribed by law, the superintendent of the state school for the blind and the superintendent of the state school for the deaf:

- (1) Shall have full control of their respective schools and the property of various kinds.
- (2) May establish criteria, in addition to state certification, for teachers at their respective schools.
- (3) Shall employ members of the faculty, administrative officers, and other employees, who shall all be subject to chapter 41.06 RCW, the state civil service law, unless specifically exempted by other provisions of law.
- (4) Shall establish the course of study including vocational training, with the assistance of the faculty and the advice of the respective boards of trustees.
- (5) May establish new facilities as needs demand.
- (6) May adopt rules, under chapter 34.04 RCW, as deemed necessary for the government, management, and operation of the housing facilities.
- (7) Shall control the use of the facilities and authorize the use of the facilities for night school, summer school, public meetings, or other purposes consistent with the purposes of their respective schools.
- (8) May adopt rules for pedestrian and vehicular traffic on property owned, operated, and maintained by the respective schools.
- (9) Purchase all supplies and lease or purchase equipment and other personal property needed for the operation or maintenance of their respective schools.
- (10) Except as otherwise provided by law, may enter into contracts as each superintendent deems essential to the respective purposes of their schools.
- (11) May receive gifts, grants, conveyances, devises, and bequests of real or personal property from whatever source, as may be made from time to time, in trust or otherwise, whenever the terms and conditions will aid in carrying out the programs of the respective schools; sell, lease or exchange, invest, or expend the same or the proceeds, rents, profits, and income thereof except as limited by the terms and conditions thereof; and adopt rules to govern the receipt and expenditure of the proceeds, rents, profits, and income thereof.
- (12) May contract with the department of social and health services for management consultant or other services which the department, if requested, shall provide.
- (13) May, except as otherwise provided by law, enter into contracts as the superintendents deem essential for the operation of their respective schools.
- (14) Shall adopt rules providing for the transferability of employees between the school for the deaf and the school for the blind consistent with collective bargaining agreements in effect.
- (15) Shall prepare and administer their respective budgets consistent with RCW 43.88.160 and the budget and accounting act, chapter 43.88 RCW generally, as applicable.
- (16) May adopt rules under chapter 34.04 RCW and perform all other acts not forbidden by law as the superintendents deem necessary or appropriate to the administration of their respective schools.

Sec. 15. Section 6, chapter 50, Laws of 1970 ex. sess. as amended by section 248, chapter 141, Laws of 1979 and RCW 72.40.031 are each amended to read as follows:

The school year for the state school for the blind and the state school for the deaf shall commence on the first day of July of each year and shall terminate on the 30th day of June of the succeeding year. The regular school term shall be for a period of nine months and shall commence as near as reasonably practical at the time of the commencement of regular terms in the public schools, with the equivalent number of days as are now required by law, and the regulations of the superintendent of public instruction as now or hereafter amended, during the school year in the public schools. The school shall observe all legal holidays, in the same manner as other agencies of state government, and the schools will not be in session on such days and such other days as may be approved by the ~~((secretary of social and health services))~~ respective superintendents. During the period when the schools are not in session during the regular school term, schools may be operated, subject to the approval of the ~~((secretary))~~ respective superintendents, for the instruction of students or for such other reasons which are in furtherance of the objects and purposes of such schools.

NEW SECTION, Sec. 16. A new section is added to chapter 72.40 RCW to read as follows:

In addition to the powers and duties under section 14 of this act, the superintendent of each school shall:

(1) Monitor the location and educational placement of each student reported to the superintendents by the educational service district superintendents;

(2) Provide information about educational programs, instructional techniques, materials, equipment, and resources available to students with visual or auditory impairments to the parent or guardian, educational service district superintendent, and the superintendent of the school district where the student resides; and

(3) Serve as a consultant to the office of the superintendent of public instruction and assist school districts in improving their instructional programs for students with visual or hearing impairments.

NEW SECTION. Sec. 17. A new section is added to chapter 72.40 RCW to read as follows:

All teachers at the state school for the deaf and the state school for the blind shall meet all certification requirements and the programs shall meet all accreditation requirements and conform to the standards defined by law or by rule of the state board of education or the office of the state superintendent of public instruction. The superintendents, by rule, may adopt additional educational standards for their respective schools. Salaries of all certificated employees shall be set so as to conform to and be contemporary with salaries paid to other certificated employees of similar background and experience in the school district in which the program or facility is located. The superintendents may provide for provisional certification for teachers in their respective schools including certification for emergency, temporary, substitute, or provisional duty.

Sec. 18. Section 72.40.040, chapter 28, Laws of 1959 as last amended by section 4, chapter 160, Laws of 1984 and RCW 72.40.040 are each amended to read as follows:

The schools shall be free to residents of the state between the ages of five and twenty-one years until the 1984-85 school year, between the ages of four and twenty-one years commencing with the 1984-85 school year, and between the ages of three and twenty-one years commencing with the 1985-86 school year (~~and who are blind or deaf, or otherwise sensory handicapped, and who are free from loathsome or contagious diseases~~) and who are visually or hearing impaired or otherwise sensory handicapped with problems of learning originating mainly due to a visual or auditory deficiency. Each school shall admit and retain students on a space available basis according to criteria developed and published by each school superintendent in consultation with each board of trustees and school faculty: PROVIDED, That students over the age of twenty-one years, who are otherwise qualified may be retained at the school, if in the discretion of the superintendent in consultation with the faculty they are proper persons to receive further training given at the school and the facilities are adequate for proper care, education, and training.

Sec. 19. Section 72.40.050, chapter 28, Laws of 1959 as amended by section 249, chapter 141, Laws of 1979 and RCW 72.40.050 are each amended to read as follows:

The ~~(secretary)~~ superintendents may admit to ~~((the))~~ their respective schools ~~((blind or deaf))~~ visually or hearing impaired children from other states as appropriate, but the parents or guardians of such children or other state will be required to pay annually or quarterly in advance a sufficient amount to cover the cost of maintaining and educating such children as set by the applicable superintendent.

Sec. 20. Section 72.40.060, chapter 28, Laws of 1959 as last amended by section 151, chapter 275, Laws of 1975 1st ex. sess. and RCW 72.40.060 are each amended to read as follows:

It shall be the duty of ~~((the clerks of))~~ all school districts in the state, ~~((at the time for making the annual reports:))~~ to report to ~~((the superintendent of))~~ their respective educational service districts the names of all ~~((deaf, mute, or blind))~~ visually or hearing impaired youth residing within their respective school districts who are between the ages of ~~((six))~~ three and twenty-one years.

Sec. 21. Section 72.40.070, chapter 28, Laws of 1959 as last amended by section 250, chapter 141, Laws of 1979 and RCW 72.40.070 are each amended to read as follows:

It shall be the duty of each educational service district ~~(superintendent)~~ to make a full and specific report of ~~((such deaf, mute, or blind))~~ visually or hearing impaired youth to the ~~((board of county commissioners of the county in which the youth resides at its regular meeting in July of each year. He shall also, at the same time, transmit a duplicate copy of such report to the secretary and the))~~ superintendent of the school for the blind or the school for the deaf, as the case may be and the superintendent of public instruction, annually. The superintendent of public instruction shall report about the hearing or visually impaired youth to the school for the blind and the school for the deaf, as the case may be, annually.

Sec. 22. Section 72.40.080, chapter 28, Laws of 1959 as last amended by section 153, chapter 275, Laws of 1975 1st ex. sess. and RCW 72.40.080 are each amended to read as follows:

It shall be the duty of the parents or the guardians of all such ~~((blind or deaf))~~ visually or hearing impaired youth to send them each year to the proper school or institution. Full and due consideration shall be given to the parent's or guardian's preference as to which program the child should attend. The educational service district superintendent shall take all action

necessary to enforce this section. ~~((if satisfactory evidence is laid before the educational service district superintendent that any blind or deaf youth is being properly educated at home or in some suitable institution other than the state schools, he shall take no action in such case other than to make a record of such fact, and take such steps as may be necessary to satisfy himself that such defective youth will continue to receive a proper education.))~~

Sec. 23. Section 72.40.090, chapter 28, Laws of 1959 as amended by section 1, chapter 51, Laws of 1975 and RCW 72.40.090 are each amended to read as follows:

If it appears to the satisfaction of the board of county commissioners that the parents of any such ~~((blind or deaf))~~ visually or hearing impaired youth within their county are unable to bear the expense of transportation to and from the state schools, it shall send them to and return them from the schools or maintain them there during vacation at the expense of the county. Nothing in this section shall be construed as prohibiting the ~~((department))~~ superintendents from authorizing or incurring such travel expenses for the purpose of transporting such ~~((blind or deaf))~~ visually or hearing impaired youth to and from points within this state during weekends and/or vacation periods. For the purposes of this section, the ~~((department))~~ superintendents shall impose no conditions upon parents or guardians specifying the number of weekends such persons shall take custody of ~~((deaf and blind))~~ hearing or visually impaired students.

Sec. 24. Section 72.40.100, chapter 28, Laws of 1959 as last amended by section 154, chapter 275, Laws of 1975 1st ex. sess. and RCW 72.40.100 are each amended to read as follows:

Any parent, guardian, or educational service district superintendent ~~((or county commissioner))~~ who, without proper cause, fails to carry into effect the provisions of this chapter shall be guilty of a misdemeanor, and upon conviction thereof, upon the complaint of any officer or citizen of the county or state, before any justice of the peace or superior court, shall be fined in any sum not less than fifty nor more than two hundred dollars.

NEW SECTION, Sec. 25. A new section is added to chapter 72.41 RCW to read as follows:

Unless the context clearly requires otherwise, as used in this chapter 'superintendent' means superintendent of the state school for the blind.

Sec. 26. Section 1, chapter 118, Laws of 1973 and RCW 72.41.010 are each amended to read as follows:

It is the intention of the legislature in creating a board of trustees for the state school for the blind to perform the duties set forth in this chapter, that the board of trustees perform needed advisory services to the legislature and ~~((directly to the secretary of the department of social and health services, hereinafter denominated the "secretary"))~~ to the superintendent of the Washington state school for the blind, in the development of programs for the ((blind)) visually impaired, and in the operation of the Washington state school for the blind.

Sec. 27. Section 2, chapter 118, Laws of 1973 as amended by section 13, chapter 30, Laws of 1982 1st ex. sess. and RCW 72.41.020 are each amended to read as follows:

There is hereby created a board of trustees for the state school for the blind to be composed of ~~((twelve trustees. In making such appointments the governor shall give consideration to geographical exigencies and shall appoint one trustee residing in))~~ a resident from each of the state's congressional districts now or hereafter existing. Trustees with voting privileges shall be appointed by the governor with the consent of the senate. A representative of the parent-teachers association of the Washington state school for the blind, a representative of the Washington council of the blind, a representative of the ~~((Washington state association for the blind and))~~ national federation of the blind of Washington, a representative of the united blind of Washington state, one representative designated by the teacher association((:)) of the Washington state school for the blind, and a houseparent designated by the houseparents' exclusive bargaining representative shall each be ex officio and nonvoting members of the board of trustees and shall serve during their respective tenures in such positions.

~~((The initial appointees of the governor to the board of trustees shall draw lots at the first meeting thereof to determine their respective initial terms. One trustee shall serve for one year, one for two years, two for three years, one for four years, and two for five years.~~

~~Thereafter the successors of the))~~ Trustees ((initially appointed)) shall be appointed by the governor to serve for a term of five years except that any person appointed to fill a vacancy occurring prior to the expiration of any term shall be appointed within sixty days of the vacancy and appointed only for the remainder of the term.

One trustee shall be a resident and qualified elector from each of the state's congressional districts. The board shall not be deemed to be unlawfully constituted and a trustee shall not be deemed ineligible to serve the remainder of the trustee's unexpired term on the board solely by reason of the establishment of new or revised boundaries for congressional districts. No voting trustee may be an employee of the state school for the blind, a member of the board of directors of any school district, a member of the governing board of any public or private educational institution, a school district or educational service district administrator, appointed after the effective date of this 1985 act, or an elected officer or member of the legislative authority or any municipal corporation.

The board of trustees shall organize itself by electing a chairman from its members. The board shall adopt a seal and may adopt such bylaws, rules, and regulations as it deems necessary for its own government. ~~((Four))~~ A majority of the voting members of the board in office shall constitute a quorum, but a lesser number may ((adjourn)) convene from time to time and may compel the attendance of absent members in such manner as prescribed in its bylaws, rules, or regulations. The superintendent of the state school for the blind shall serve as, or may designate another person to serve as, the secretary of the board, who shall not be deemed to be a member of the board.

Sec. 28. Section 4, chapter 118, Laws of 1973 and RCW 72.41.040 are each amended to read as follows:

~~((Under the general auspices of the secretary of the department of social and health services.))~~ The board of trustees of the state school for the blind:

(1) Shall monitor and inspect all existing facilities of the state school for the blind, and report its findings to the ~~((secretary))~~ superintendent;

(2) Shall study and recommend comprehensive programs of education and training and review the admission policy as set forth in RCW 72.40.040 and 72.40.050, and make appropriate recommendations to the ~~((secretary))~~ superintendent;

(3) Shall ~~((advise the secretary in selection of))~~ submit a list of three qualified candidates for superintendent((:)) to the governor and shall advise the superintendent about the criteria and policy to be used in the selection of members of the faculty and such other administrative officers and other employees, who shall with the exception of the superintendent all be subject to chapter 41.06 RCW, the state civil service law, unless specifically exempted by other provisions of law. All employees and personnel classified under chapter 41.06 RCW shall continue, after ((June 7, 1973)) the effective date of this 1985 act, to perform their usual duties upon the same terms as formerly, without any loss of rights, subject to any action that may be appropriate thereafter in accordance with the laws and rules governing the state civil service law;

(4) Shall submit an evaluation of the superintendent to the governor by July 1 of each odd-numbered year and may recommend to the governor that the superintendent be removed for misfeasance, malfeasance, or wilful neglect of duty;

(5) May recommend to the ~~((secretary))~~ superintendent the establishment of new facilities as needs demand;

~~((5))~~ (6) May recommend to the ~~((secretary))~~ superintendent rules and regulations for the government, management, and operation of such housing facilities deemed necessary or advisable;

~~((6))~~ (7) May make recommendations to the ~~((secretary))~~ superintendent concerning classrooms and other facilities to be used for summer or night schools, or for public meetings and for any other uses consistent with the use of such classrooms or facilities for the school for the blind;

~~((7))~~ (8) May make recommendations to the ~~((secretary))~~ superintendent for adoption of rules and regulations for pedestrian and vehicular traffic on property owned, operated, or maintained by the school for the blind;

~~((8))~~ (9) Shall recommend to the ~~((secretary))~~ superintendent, with the assistance of the faculty, the course of study including vocational training in the school for the blind, in accordance with other applicable provisions of law and rules and regulations;

~~((9))~~ (10) May grant to every student, upon graduation or completion of a program or course of study, a suitable diploma, nonbaccalaureate degree, or certificate;

~~((10))~~ (11) Shall participate in the development of, and monitor the enforcement of the rules and regulations pertaining to the school for the blind;

~~((11))~~ (12) Shall perform any other duties and responsibilities prescribed by the ~~((secretary))~~ superintendent.

Sec. 29. Section 1, chapter 96, Laws of 1972 ex. sess. and RCW 72.42.010 are each amended to read as follows:

It is the intention of the legislature, in creating a board of trustees for the state school for the deaf to perform the duties set forth in this chapter, that the board of trustees perform needed advisory services to the ((secretary of the department of social and health services, hereinafter denominated the "secretary";)) legislature and to the superintendent of the Washington state school for the deaf in the development of programs for the ((deaf)) hearing impaired, and in the operation of the Washington state school for the deaf.

NEW SECTION. Sec. 30. A new section is added to chapter 72.42 RCW to read as follows:

Unless the context clearly requires otherwise as used in this chapter 'superintendent' means superintendent of the Washington state school for the deaf.

Sec. 31. Section 2, chapter 96, Laws of 1972 ex. sess. as amended by section 15, chapter 30, Laws of 1982 1st ex. sess. and RCW 72.42.020 are each amended to read as follows:

There is hereby created a board of trustees for the state school for the deaf to be composed of ~~((eleven trustees, of whom eight shall be appointed by the governor. In making such appointments the governor shall give consideration to geographical exigencies and shall appoint one trustee residing in))~~ a resident from each of the state's congressional districts.

Trustees with voting privileges shall be appointed by the governor with the consent of the senate. The president of the parent-teachers house organization of the ((deaf)) school for the deaf, ((the vice president of the parent-teachers house organization of the deaf school)) a houseparent selected by the houseparents' exclusive bargaining representative, one representative designated by the teacher association of the school for the deaf, and the president of the Washington state association for the deaf shall each be ex officio and nonvoting members of the board of trustees and shall serve during their respective tenures in such positions.

~~((The initial appointees to the board of trustees shall draw lots at the first meeting thereof to determine their respective initial terms. One trustee shall serve for one year, one for two years, two for three years, one for four years, and two for five years.~~

Thereafter the successors of the)) Trustees ((initially appointed)) shall be appointed by the governor to serve for a term of five years except that any person appointed to fill a vacancy occurring prior to the expiration of any term shall be appointed within sixty days of the vacancy and appointed only for the remainder of the term.

One trustee shall be a resident and qualified elector from each of the state's congressional districts, as now or hereafter existing. The board shall not be deemed to be unlawfully constituted and a trustee shall not be deemed ineligible to serve the remainder of the trustee's unexpired term on the board solely by reason of the establishment of new or revised boundaries for congressional districts. No voting trustee may be an employee of the state school for the deaf, a member of the board of directors of any school district, a member of the governing board of any public or private educational institution, a school district or educational service district administrator appointed after the effective date of this act, or an elected officer or member of the legislative authority of any municipal corporation.

The board of trustees shall organize itself by electing a ((chairman)) chairperson, vice-chairperson, and secretary from its members. The board shall adopt a seal and may adopt such bylaws, rules, and regulations as it deems necessary for its own government. ((Four)) A majority of the voting members of the board in office shall constitute a quorum, but a lesser number may adjourn from time to time and may compel the attendance of absent members in such manner as prescribed in its bylaws, rules, or regulations. ((The superintendent of the state school for the deaf shall serve as, or may designate another person to serve as, the secretary of the board, who shall not be deemed to be a member of the board.))

Sec. 32. Section 4, chapter 96, Laws of 1972 ex. sess. as amended by section 1, chapter 42, Laws of 1981 and RCW 72.42.040 are each amended to read as follows:

~~((Subject to the direction and control of the secretary of the department of social and health services.))~~ The board of trustees of the state school for the deaf:

(1) Shall monitor and inspect all existing facilities of the state school for the deaf, and report its findings to the ~~((secretary))~~ superintendent:

(2) Shall study and recommend comprehensive programs of education and training and review the admission policy as set forth in RCW 72.40.040 and 72.40.050, and make appropriate recommendations to the ~~((secretary))~~ superintendent:

(3) Shall ~~((advise the secretary in selection of))~~ develop a process for recommending candidates for the position of superintendent and upon a vacancy shall submit a list of three qualified candidates for superintendent((s)) to the governor and shall advise the superintendent about the criteria and policy to be used in the selection of members of the faculty and such other administrative officers and other employees, who shall all with the exception of the superintendent be subject to chapter 41.06 RCW, the state civil service law, unless specifically exempted by other provisions of law. ((The board in consultation with the secretary shall establish qualifications for the position of superintendent. The board shall evaluate the superintendent annually and when necessary may recommend disciplinary action in respect to the superintendent.)) All employees and personnel classified under chapter 41.06 RCW shall continue, after ~~((May 23, 1972))~~ the effective date of this 1985 act, to perform their usual duties upon the same terms as formerly, without any loss of rights, subject to any action that may be appropriate thereafter in accordance with the laws and rules governing the state civil service law;

(4) Shall submit an evaluation of the superintendent to the governor by July 1 of each odd-numbered year and may recommend to the governor at any time that the superintendent be removed for misfeasance, malfeasance, or wilful neglect of duty;

(5) May recommend to the ~~((secretary))~~ superintendent the establishment of new facilities as needs demand;

~~((5))~~ (6) May recommend to the ~~((secretary))~~ superintendent rules and regulations for the government, management, and operation of such housing facilities deemed necessary or advisable;

~~((6))~~ (7) May make recommendations to the ~~((secretary))~~ superintendent concerning classrooms and other facilities to be used for summer or night schools, or for public meetings and for any other uses consistent with the use of such classrooms or facilities for the school for the deaf;

((F)) (8) May make recommendations to the ((secretary)) superintendent for adoption of rules and regulations for pedestrian and vehicular traffic on property owned, operated, or maintained by the school for the deaf;

((B)) (9) Shall recommend to the ((secretary)) superintendent, with the assistance of the faculty, the course of study including vocational training in the school for the deaf, in accordance with other applicable provisions of law and rules and regulations;

((F)) (10) May grant to every student, upon graduation or completion of a program or course of study, a suitable diploma, nonbaccalaureate degree, or certificate.

((H)) (11) Shall participate in the development of, and monitor the enforcement of the rules and regulations pertaining to the school for the deaf;

((H)) (12) Shall perform any other duties and responsibilities prescribed by the ((secretary)) superintendent.

NEW SECTION, Sec. 33. The following acts or parts of acts are each repealed:

(1) Section 72.05.140, chapter 28, Laws of 1959, section 180, chapter 141, Laws of 1979, section 9, chapter 217, Laws of 1979 ex. sess., section 1, chapter 58, Laws of 1980 and RCW 72.05.140;

(2) Section 100, chapter 136, Laws of 1981 and RCW 72.40.001;

(3) Section 5, chapter 118, Laws of 1973 and RCW 72.41.050; and

(4) Section 5, chapter 96, Laws of 1972 ex. sess. and RCW 72.42.050.

NEW SECTION, Sec. 34. 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. 35. This act shall take effect July 1, 1986. The secretary of social and health services and the governor may immediately take such steps as are necessary to ensure that this act is implemented on its effective date."

Signed by Representatives Ebersole, Chair; Valle, Vice Chair; Appelwick, Chandler, Cole, Fuhrman, Holland, P. King, Long, Peery, Rayburn, Rust, L. Smith, Taylor, Todd and Wang.

MINORITY recommendation: Do not pass. Signed by Representatives Betzoff, Schoon and Walker.

Passed to Committee on Rules for second reading.

March 29, 1985

ESSB 3799 Prime Sponsor, Committee on Energy & Utilities: Increasing the state radiation control agency's responsibilities with regard to radiation control. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass. Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong, Gallagher, Jacobsen, Madsen, Sutherland and Unsoeld.

MINORITY recommendation: Do not pass. Signed by Representative Isaacson.

Voting nay: Representatives Barnes, Bond, Isaacson, Long, Nealey and Van Luvan.

Absent: Representative Miller.

Passed to Committee on Rules for second reading.

April 3, 1985

ESB 3804 Prime Sponsor, Senator Zimmerman: Modifying liability for "AIDS" in transactions involving blood donations. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass. Signed by Representatives Brekke, Chair; Day, Vice Chair; Armstrong, Braddock, Brooks, Dellwo, Leonard, Lewis, Lux, Scott, S. Wilson and Winsley.

MINORITY recommendation: Do not pass. Signed by Representatives Dobbs, Padden and West.

Absent: Representative Ballard.

Passed to Committee on Rules for second reading.

April 3, 1985

SB 3818 Prime Sponsor, Senator Rasmussen: Adding an appointee of the director of financial management to the records committee. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Belcher, Chair; Peery, Vice Chair; Baugher, Brooks, Fuhrman, Hankins, O'Brien, Sanders, Taylor, Todd, van Dyke, Vekich and Walk.

Passed to Committee on Rules for second reading.

April 1, 1985

SB 3851 Prime Sponsor, Senator Wojahn: Allowing security and law enforcement officers, and fire fighters over eighteen upon licensed premises. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 3 after "licensee," insert "However, the application of the subsection to security officers is limited to casual, isolated incidents arising in the course of their duties and does not extend to continuous or frequent entering or remaining in any licensed premises."

Signed by Representatives Wang, Chair; Cole, Vice Chair; Betrozoff, Chandler, Ebersole, Fisch, Fisher, R. King, O'Brien, Patrick, Sayan, C. Smith, Walker and J. Williams.

Absent: Representative J. Williams.

Passed to Committee on Rules for second reading.

April 3, 1985

SSB 3882 Prime Sponsor, Committee on Governmental Operations: Authorizing the state militia to retain cleaning deposits and utility costs associated with armory rentals. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 9 after "charges," insert "including"

Signed by Representatives Belcher, Chair; Peery, Vice Chair; Baugher, Brooks, Fuhrman, Hankins, O'Brien, Sanders, Taylor, Todd, van Dyke, Vekich and Walk.

Passed to Committee on Rules for second reading.

April 4, 1985

SSB 3897 Prime Sponsor, Committee on Financial Institutions: Establishing new reporting requirements for property and casualty insurers. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. A new section is added to chapter 48.05 RCW to read as follows:

The insurance commissioner shall promulgate rules requiring insurers who are authorized to write malpractice insurance in the state of Washington to record and report their Washington state loss and expense experiences and other data, as required by section 2 of this act.

NEW SECTION, Sec. 2. A new section is added to chapter 48.05 RCW to read as follows:

(1) The report required by section 1 of this act shall include the types of insurance written by the insurer for both commercial and personal policies pertaining to medical malpractice insurance for physicians and surgeons, hospitals, other health care professions, and other health care facilities individually.

(2) The report shall include the following data by the type of insurance for the previous year ending on the thirty-first day of December:

(a) Direct premiums written;

(b) Direct premiums earned;

(c) Net investment income, including net realized capital gain and losses, using appropriate estimates where necessary;

(d) Incurred claims, development as the sum of the following:

(i) Dollar amount of claims closed with payments; plus

(ii) Reserves for reported claims at the end of the current year; minus

(iii) Reserves for reported claims at the end of the previous year; plus

(iv) Reserves for incurred but not reported claims at the end of the current year; minus

(v) Reserves for incurred but not reported claims at the end of the previous year; plus

(vi) Reserves for loss adjustment expense at the end of the current year; minus



(vii) Reserves for loss adjustment expense at the end of the previous year.

(e) Actual incurred expenses allocated separately to loss adjustment, commissions, other acquisition costs, advertising, general office expenses, taxes, licenses and fees, and all other expenses;

(f) Net underwriting gain or loss;

(g) Net operation gain or loss, including net investment income;

(h) The number and dollar amount of claims closed with payment, by year incurred and the amount reserved for them;

(i) The number of claims closed without payment and the dollar amount reserved for those claims; and

(j) Other information requested by the insurance commissioner.

(3) The report shall be included as an addendum to the annual statement required by RCW 48.05.250.

**NEW SECTION.** Sec. 3. The requirements of sections 1 and 2 of this act shall commence with the year-end report for the reporting period ending December 31, 1986. In addition, the data required under section 2 of this act shall be provided for the years 1975 through 1985 and shall be filed with the commissioner on or before March 1, 1986.

**NEW SECTION.** Sec. 4. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

On page 1, line 1 of the title, after "reporting;" strike the remainder of the title and insert "adding new sections to chapter 48.05 RCW; and creating a new section."

Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Addison, Barrett, Crane, Dellwo, Grimm, Holland, P. King, Locke, Nulley, Prince and Winsley.

Voting nay: Representative West.

Passed to Committee on Rules for second reading.

April 3, 1985

SSB 4107

Prime Sponsor, Committee on Judiciary: Establishing privileged communications between registered nurses and patients. Reported by Committee on Judiciary

**MAJORITY recommendation:** Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

**\*NEW SECTION.** Sec. 1. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Registered nurse' means a registered nurse licensed under chapter 18.88 RCW.

(2) 'Protocol' means a regimen to be carried out by a registered nurse and prescribed by a licensed physician under chapter 18.71 RCW, which is consistent with chapter 18.88 RCW and the rules adopted under chapter 18.88 RCW.

(3) 'Primary care' means screening, assessment, diagnosis and treatment for the purpose of promotion of health and detection of disease or injury, as authorized by chapter 18.88 RCW and the rules adopted under chapter 18.88 RCW.

**NEW SECTION.** Sec. 2. No registered nurse providing primary care or practicing under protocols, whether or not the physical presence or direct supervision of a physician is required, may be examined in a civil or criminal action as to any information acquired in attending a patient in the registered nurse's professional capacity, if the information was necessary to enable the registered nurse to act in that capacity for the patient, unless:

(1) The patient consents to disclosure or, in the event of death or disability of the patient, his or her personal representative, heir, beneficiary, or devisee consents to disclosure; or

(2) The information relates to the contemplation or execution of a crime in the future, or relates to the neglect or the sexual or physical abuse of a child, or of a vulnerable adult as defined in RCW 74.34.020.

**NEW SECTION.** Sec. 3. Notwithstanding anything to the contrary in this chapter, the privilege created in this chapter is subject to the same limitations and exemptions contained in RCW 26.26.120, 26.44.060(3), 51.04.050, and 71.05.250 as those limitations and exemptions relate to the physician/patient privilege of RCW 5.60.060.

**NEW SECTION.** Sec. 4. Sections 1 through 3 of this act shall constitute a new chapter in Title 5 RCW."

On page 1, line 2 of the title, after "nurses;" insert "and"

On page 1, line 2 of the title, after "RCW" strike the remainder of the title and insert "."

Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Hargrove, Lewis, Locke, Niemi, Padden, Schmidt, Schoon, Van Luven, West and Wang.

Absent: Representatives Dellwo, P. King, G. Nelson and Tilly.

Passed to Committee on Rules for second reading.

April 3, 1985

ESB 4140 Prime Sponsor, Senator Gaspard: Revising high school graduation requirements. Reported by Committee on Education

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

\*NEW SECTION, Sec. 1. The state board of education shall adopt rules pursuant to chapter 34.04 RCW, to implement the course requirements set forth in RCW 28A.05.060. Such rules shall include, as the state board deems necessary, granting equivalencies for and temporary exemptions from the course requirements in RCW 28A.05.060 and special alterations of the course requirements in RCW 28A.05.060. In developing such rules the state board shall recognize the relevance of vocational and applied courses and allow such courses to fulfill in whole or in part the courses required for graduation in RCW 28A.05.060. Such rules may include provisions for competency testing in lieu of such courses required for graduation in RCW 28A.05.060.

Sec. 2. Section 6, chapter 278, Laws of 1984 and RCW 28A.05.060 are each amended to read as follows:

(1) The state board of education shall establish high school graduation requirements or equivalencies for students who commence the ninth grade subsequent to July 1, 1985, that meet or exceed the following:

SUBJECT	CREDITS <sup>(*)</sup>	(YEARS <sup>+</sup> )
English	((9)) 3	((3+))
Mathematics	((6)) 2	((2+))
Social Studies		
United States history and government	((3)) 1	((1))
Washington state history and government	((1+1/2)) 1/2	((1+2))
Contemporary world history, geography, and problems	((3)) 1	((1))
Science ((3)) 1 credit(s) must be in		
laboratory science)	((6)) 2	((2+))
Occupational Education	((3)) 1	((1))
Physical Education	(((See RCW 28A.05.040 for physical education requirements.))) 2	
Electives	((16+1/2)) 5 1/2	
Total	((48)) 18	

(2) For the purposes of this section one credit is equivalent to one year of study.

~~((\*) Credit means 60 hours of instruction including normal class change passing time. Three credits are the equivalent to a one-year course.~~

~~\*\* No more than 1 credit per trimester or 1 1/2 credits per semester or 3 credits per year may be applied toward graduation requirements in these subjects. Additional credits in these subjects may be counted as electives.~~

~~\*\*\* The state board of education shall establish through rules and regulations clearly defined physical education requirements for the purpose of minimum high school graduation requirements under RCW 28A.05.040.)~~

(3) The Washington state history and government requirement may be fulfilled by students in grades seven or eight or both. Students who have completed the Washington state history and government requirement in grades seven or eight or both shall be considered to have fulfilled the Washington state history and government requirement.

(4) A candidate for graduation must have in addition earned a minimum of ((48)) 18 credits ((and fulfilled the physical education requirement)) including all required courses. These credits shall consist of the state requirements listed above and such additional requirements and electives as shall be established by each district.

~~((3) The state board of education shall develop and establish procedures for students to meet equivalencies for courses required for graduation in subsection (1) of this section. Such procedures may include provisions for competency testing in lieu of such courses.~~

~~(4) The state board of education shall establish procedures for establishing high school graduation requirements for students with special educational needs, in accord with limitations on their ability to fulfill these high school graduation requirements.~~

~~(5) The local school districts shall consider the relevance of vocational and applied courses in fulfilling these high school graduation requirements.~~

~~(5) The state board of education, upon request from local school districts, shall be authorized to grant temporary exemptions from the graduation requirements in subsection (1) of this~~

~~section for reasons relating to school district size and availability of staff authorized to teach required subjects. The state board of education may adopt reasonable and necessary rules regarding exemptions for students who transfer between districts.~~

(6))) (5) In recognition of the statutory authority of the state board of education to establish and enforce minimum high school graduation requirements, the state board shall periodically reevaluate the graduation requirements and shall report such findings to the legislature in a timely manner as determined by the state board.

Sec. 3. Section 28A.05.040, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 52, Laws of 1984 and RCW 28A.05.040 are each amended to read as follows:

All high schools of the state shall emphasize the work of physical education, and carry into effect all physical education requirements established by rule or regulation of the state board of education: PROVIDED, That individual students may be excused from participating in physical education otherwise required under this section on account of physical disability, employment or religious belief, or because of participation in directed athletics or military science and tactics (~~PROVIDED FURTHER, That individual high school students shall be excused therefrom upon the written request of parents or guardians~~) or for other good cause.

NEW SECTION. Sec. 4. The state board of education shall establish for students who commence the ninth grade subsequent to July 1, 1987, an additional one credit elective requirement to be chosen from fine, visual, or performing arts, any of the subject areas as set forth in RCW 28A.05.060, or any combination thereof.

NEW SECTION. Sec. 5. Sections 1 and 4 of this act are each added to chapter 28A.05 RCW." On page 1, line 2 of the title, after "28A.05.060" insert "and 28A.05.040"

Signed by Representatives Ebersole, Chair; Valle, Vice Chair; Betrozoff, Chandler, Cole, Fuhrman, Holland, P. King, Long, Peery, Rayburn, Rust, Schoon, L. Smith, Taylor, Todd, Walker and Wang.

Absent: Representative Appelwick.

Passed to Committee on Rules for second reading.

April 2, 1985

SSB 4231 Prime Sponsor, Committee on Natural Resources: Adjusting hunting and fishing license fees. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 16, after "issued," insert "The commission shall report to the next regular session of the legislature explaining any increase in the amount retained by license dealers. Fees retained by dealers shall be uniform throughout the state."

On page 5, line 2, after "(5))" strike all material through line 4 and insert "A falconry ((stamp)) license is required to possess or hunt with a falcon ((during)), including seasons established exclusively for hunting in that manner. The fee for this ((stamp)) license is ((fifteen)) thirty dollars."

On page 5, line 8, after "Stamps" insert "and licenses"

On page 5, beginning on line 35, strike everything through "license." on page 6, line 14, and insert the following:

~~"(A conservation license is required to be displayed on all vehicles parked on game department lands or using game department access facilities which shall be clearly identified. The fee for this license is five dollars annually. The license shall be issued to the registered owner of the vehicle and is nontransferable.~~

A conservation license shall be issued without charge to persons possessing a hunting, fishing, trapping, or free license.) A person may purchase a conservation license in order to use game department lands and access facilities. The fee for this license is eight dollars."

Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Basich, Belcher, Cole, Dobbs, Fuhrman, Hankins, Hargrove, Lundquist, McMullen, Sanders, Sayan and van Dyke.

Voting nay: Representative Haugen.

Absent: Representatives Leonard, D. Nelson, Thomas, J. Williams and S. Wilson.

Passed to Committee on Rules for second reading.

April 3, 1985

SB 4236 Prime Sponsor, Senator Wojahn: Implementing the deferred compensation committee's operational activity appropriation. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Basich, Brekke, Bristow, Hastings, Hine, Holland, J. King, Long, Madsen, G. Nelson, Niemi, Rust, Sanders, Silver, L. Smith, Smitherman, Sommers and Vander Stoep.

Absent: Representatives Locke, Long, Niemi, Sanders, Sayan, Taylor, Tilly and B. Williams.

Passed to Committee on Rules for second reading.

April 2, 1985

SSB 4267 Prime Sponsor, Committee on Transportation: Authorizing the department of transportation to buy and sell abandoned rail rights of way. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendment:

On page 5, after line 29 insert the following:

\*NEW SECTION, Sec. 10. The rail right of way acquisition program under chapter 47.76 RCW shall be terminated on June 30, 1991.

NEW SECTION, Sec. 11. The rail right of way acquisition act as now existing or hereinafter amended, is repealed, effective June 30, 1992.\*

Signed by Representatives Walk, Chair; Wineberry, Vice Chair; Betzoff, Fisher, Gallagher, Hankins, Haugen, Kremen, McMullen, Patrick, Prince, Schmidt, C. Smith, Sutherland, Tanner, Valle, J. Williams, K. Wilson and Zellinsky.

Voting nay: Representative Bond.

Absent: Representatives Baugher, Brough, Fisch, Lundquist, Thomas and Van Luven.

Passed to Committee on Rules for second reading.

April 3, 1985

SB 4278 Prime Sponsor, Senator Metcalf: Establishing procedures for redemption of a vehicle impounded from an unlicensed driver. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Baugher, Brough, Fisch, Fisher, Gallagher, Hankins, Kremen, Lundquist, Patrick, Prince, C. Smith, Sutherland, Valle and K. Wilson.

Voting nay: Representatives Haugen and Zellinsky.

Absent: Representatives Wineberry, Vice Chair; Bond, McMullen, Thomas, Van Luven and J. Williams.

Passed to Committee on Rules for second reading.

April 4, 1985

SB 4288 Prime Sponsor, Senator Lee: Modifying provisions relating to experience rating of employers for purposes of on the job training programs. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Betzoff, Chandler, Ebersole, Fisch, Fisher, R. King, O'Brien, Patrick, Sayan, C. Smith, Walker and J. Williams.

Passed to Committee on Rules for second reading.

April 2, 1985

SSB 4294 Prime Sponsor, Committee on Commerce & Labor: Authorizing the establishment of a maximum three-month penalty-free period for employers paying industrial insurance premiums. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Betzoff, Chandler, Ebersole, Fisch, Fisher, R. King, O'Brien, Patrick, Sayan, C. Smith, Walker and J. Williams.

Passed to Committee on Rules for second reading.

April 1, 1985

ESB 4302 Prime Sponsor, Senator Wojahn: Revising provisions relating to lie detectors. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendment:  
On page 1, beginning on line 22 strike all material through "statements." on line 24

Signed by Representatives Wang, Chair; Cole, Vice Chair; Ebersole, Fisch, Fisher, R. King, O'Brien and Sayan.

MINORITY recommendation: Do not pass. Signed by Representatives Betrozoff, Chandler, Patrick, C. Smith, Walker and J. Williams.

Absent: Representative J. Williams.

Passed to Committee on Rules for second reading.

April 4, 1985

SSB 4308 Prime Sponsor, Committee on Parks & Ecology: Transferring certain responsibilities from the department of social and health services to the department of ecology. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The departments of social and health services and ecology were created in 1970. At that time, the legislature recognized that the protection of the natural environment and the protection of the public health were closely interrelated activities. The enabling statutes, RCW 43.21A.140 and 43.20A.140, directed each agency to consult with the other in order that to the fullest extent possible, agencies concerned with the preservation of life and health, and agencies concerned with the protection of the environment may integrate their efforts and endorse policies in common."

Increasing awareness of incidents involving air, water, and land pollution resulting in health problems have caused citizens to be confused about the responsibility of the departments of ecology and social and health services.

Examples of areas in which both agencies have responsibilities include: Toxic and hazardous waste disposal; ground water contamination affecting drinking water; radioactive material handling and disposal; and pollution of Puget Sound resulting in shellfish area closures.

NEW SECTION. Sec. 2. A thorough assessment of the relationship of public health, environmental health and environmental protection in the state is commissioned. A team shall be formed to assess the relationship of public health, environmental health and environmental protection in the state and recommend needed changes. The team will also investigate the feasibility of consolidating duties and staff of the department of social and health services office of environmental health programs and the department of ecology. The team shall consist of the directors of the department of social and health services and ecology, the chairs of the senate parks and ecology and house of representatives environmental affairs committees, the chairs of the house of representatives social and health services committee and senate human services and corrections committee, and the chair of the state board of health or their designees. The team shall also consist of one local health official, one county commissioner/council member and one member of the environmental community. The three previously mentioned members will be chosen by their respective organizations. Provided adequate funding is available, the Washington state institute for public policy shall act as convener for the study. Involvement of the Washington state institute for public policy is contingent upon approval of the institute's executive board of directors. The institute shall provide limited staff, conduct necessary research required and produce needed documents including the final plan and recommendations. If the Washington state institute for public policy cannot fulfill its role as detailed in this act, the legislature shall act in the same manner. One staff member from the department of social and health services and one staff member from the department of ecology will provide necessary staff support to the team. Team members shall serve voluntarily. Travel expenses shall be paid by their respective organizations. Travel expenses of the local health official, county commissioner/council member and members of the environmental community shall be paid jointly by the departments of social and health services and ecology. The plan will be submitted to the legislature by October 1, 1986. The plan shall include:

(1) A comprehensive analysis of public health, environmental health and environmental protection in the state with emphasis on duplicate or overlapping responsibilities and the relationship of each to the other;

(2) An analysis of the impact of a potential consolidation on programs administered by local health agencies, including recommendations for improving state and local coordination;

(3) A comprehensive organizational assessment of the department of ecology and the reporting relationship of the office of environmental health programs within the agency, along with recommendations to ensure that public health is given appropriate emphasis; and

(4) A review of existing statutes pertaining to the department of social and health services and the state board of health. The plan shall identify appropriate revisions that may be needed to reflect any consolidation of responsibilities. During formulation of the plan, efforts shall be made to coordinate with activities of the joint select committee on public health studying general public health issues pursuant to section 3, chapter 243, Laws of 1984.

**NEW SECTION.** Sec. 3. The plan and recommended legislation shall be submitted to the legislature with recommendations for the feasibility of and necessary components required for any consolidation of organization that is recommended."

On page 1, line 2 of the title, after "ecology," strike the remainder of the title and insert "and creating new sections."

Signed by Representatives Rust, Chair; Unsoeld, Vice Chair; Brekke, Jacobsen, R. King, Lux, Nutley and Valle.

**MINORITY recommendation:** Do not pass. Signed by Representatives Allen and May.

Voting nay: Representatives Allen, Barnes and May.

Absent: Representatives Bond, Brough, Isaacson and R. King.

Passed to Committee on Rules for second reading.

April 2, 1985

**SSB 4314** Prime Sponsor, Committee on Natural Resources: Requiring proposals for legislation to reinstate certain natural fish runs. Reported by Committee on Natural Resources

**MAJORITY recommendation:** Do pass. Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Basich, Cole, Dobbs, Fuhrman, Hankins, Hargrove, Haugen, Leonard, Lundquist, McMullen, D. Nelson, Sanders, Sayan, Thomas, van Dyke and S. Wilson.

Absent: Representative J. Williams.

Passed to Committee on Rules for second reading.

April 2, 1985

**SSB 4358** Prime Sponsor, Committee on Commerce & Labor: Providing for two deputy directors with the department of labor and industries. Reported by Committee on Commerce & Labor

**MAJORITY recommendation:** Do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Betrozoff, Chandler, Ebersole, Fisch, Fisher, R. King, O'Brien, Patrick, Sayan, C. Smith, Walker and J. Williams.

Absent: Representative Fisch.

Passed to Committee on Rules for second reading.

April 3, 1985

**SSB 4361** Prime Sponsor, Committee on Parks & Ecology: Revising provisions relating to the centennial commission. Reported by Committee on State Government

**MAJORITY recommendation:** Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

\*Sec. 1. Section 2, chapter 90, Laws of 1982 as amended by section 1, chapter 120, Laws of 1984 and RCW 27.60.020 are each amended to read as follows:

(1) There is established the 1989 Washington centennial commission composed of ~~((fifteen))~~ twenty-five members selected as follows:

(a) ~~((Two))~~ Four members of the house of representatives appointed by the speaker of the house, ~~((one))~~ two from each political party;

(b) ~~((Two))~~ Four members of the senate appointed by the president of the senate, ~~((one))~~ two from each political party;

(c) (~~Eleven~~) Seventeen citizens of the state, appointed by and serving at the pleasure of the governor, including a person from a minority culture to represent the state's minority communities, at least one person to represent small towns and rural areas, at least one person representing a state-wide historic preservation organization, and at least one person representing a state historical society.

(2) The chairperson of the commission shall be appointed by the governor from among the citizen members.

(3) The commission shall meet at such times as it is called by the governor or by the chairperson of the commission.

Sec. 2. Section 4, chapter 90, Laws of 1982 and RCW 27.60.040 are each amended to read as follows:

The 1989 Washington centennial commission shall develop a comprehensive program for celebrating the centennial of Washington's admission to the union in 1889. The program shall be developed to represent the contributions of all peoples and cultures to Washington state history and to the maximum feasible extent shall be designed to encourage and support participation in the centennial by all interested communities in the state. Program elements shall include:

(1) An annual report to the governor and the legislature incorporating the commission's specific recommendations for the centennial celebration. The report shall recommend projects and activities including, but not limited to:

(a) Restoration of historic properties, with emphasis on those properties appropriate for use in the observance of the centennial;

(b) State and local historic preservation programs and activities;

(c) State and local archaeological programs and activities;

(d) Publications, films, and other educational materials;

~~((e))~~ (e) Bibliographical and documentary projects;

~~((f))~~ (f) Conferences, lectures, seminars, and other programs;

~~((g))~~ (g) Museum, library, cultural center, and park improvements, services, and exhibits, including mobile exhibits; ~~(and~~

~~((h))~~ (h) Destination tourism attractions. Such destination tourism attractions (i) shall be based upon the heritage of the state, (ii) shall be sponsored and owned by the state, a municipal corporation thereof, or a nonprofit corporation which has qualified under section 501(c)(3) of the federal internal revenue code, and (iii) shall satisfy economic development criteria established in cooperation with the director of the department of commerce and economic development in accordance with the administrative procedure act, chapter 34.04 RCW; and

(i) Ceremonies and celebrations.

(2) ~~((A funding proposal to the 1983 legislature which shall include, but not be limited to, a proposal for the issuance of general obligation bonds of the state of Washington))~~ The implementation of programs as supported by legislative appropriation, gifts and grants provided for the purposes of this chapter, and earned income as provided in RCW 27.60.060, for a Pacific celebration, centennial games, centennial publications, audio-visual productions, and local celebrations throughout the state.

Sec. 3. Section 2, chapter 120, Laws of 1984 and RCW 27.60.060 are each amended to read as follows:

Subject to existing state law, the commission may disburse legislatively appropriated funds for commemorative programs and activities. It may accept gifts or grants from public or private sources and deposit the same in the centennial fund which is hereby created in the custody of the state treasurer. It may generate earned income through contractual licensing of its symbol and other centennial-related identification and insignia for use in commercially manufactured commemorative products and through other activities, or grant use of the symbol in recognition of services provided, and deposit the same in the centennial fund. ~~((Gifts, grants, and earned income shall be retained in a separate account within the general))~~ Legislative appropriation is required for the disbursement of moneys in the centennial fund except for those moneys derived from gifts or grants deposited in the centennial fund for use by the commission in the support of commemorative programs and activities defined but not limited by RCW 27.60.040((+)-(a) through (g)). Funds not expended by December 31, 1990, shall ((revert to)) be deposited in the general fund.

NEW SECTION. Sec. 4. A new section is added to chapter 27.60 RCW to read as follows:

(1) The 1989 Washington centennial commission shall implement or assist in the implementation of a program to observe the two hundredth anniversary of the adoption of the United States Constitution and the one hundredth anniversary of the adoption of the state Constitution. This program shall be designed to promote public education concerning the United States Constitution and the state Constitution and shall include the development of opportunities to explore the relationship between the federal and state Constitutions.

(2) In carrying out its responsibilities under this section, the commission may cooperate with, assist, or sponsor private organizations which are conducting programs consistent with this chapter. Such assistance may include securing the necessary recognition, support, and

financial resources to ensure implementation of these educational programs on a state-wide basis.

(3) The commission may appoint an advisory committee for the purpose of advising the commission on matters relating to its duties under this section."

On page 1, line 1 of the title, strike "and"

On page 1, line 2 of the title, after "27.60.060" and before the period insert "; and adding a new section to chapter 27.60 RCW"

Signed by Representatives Belcher, Chair; Peery, Vice Chair; Baugher, Brooks, Fuhrman, Hankins, O'Brien, Sanders, Taylor, Todd, van Dyke, Vekich and Walk.

Passed to Committee on Rules for second reading.

April 2, 1985

SJM 102 Prime Sponsor, Senator Owen: Requesting restrictions on importation of Canadian forest products. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 9 after "to" strike "restrict" and insert "resolve the issue of continuing"

On page 2, beginning on line 12 after "legislation" strike all material through "products" on line 13 and insert "to intensify negotiations for resolving the issue of increasing Canadian forest product imports"

Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Basich, Belcher, Cole, Dobbs, Fuhrman, Hankins, Hargrove, Haugen, Lundquist, McMullen, D. Nelson, Sanders, Sayan, van Dyke and S. Wilson.

MINORITY recommendation: Do not pass. Signed by Representative Thomas.

Absent: Representative J. Williams.

Passed to Committee on Rules for second reading.

April 3, 1985

SJM 119 Prime Sponsor, Senator Zimmerman: Asking Congress to appropriate funds for locking facility at Bonneville Dam. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Baugher, Betzoff, Brough, Fisch, Hankins, Kremen, Lundquist, Prince, C. Smith, Sutherland, Tanner, Valle and K. Wilson.

Voting nay: Representatives Fisher, Haugen, Patrick and Zellinsky.

Absent: Representatives Wineberry, Vice Chair; Bond, McMullen, Thomas, Van Luven, J. Williams.

Passed to Committee on Rules for second reading.

April 4, 1985

ESCR 106 Prime Sponsor, Senator Talmadge: Urging the highest priority for the pursuit of causes of action under the Nuclear Waste Policy Act of 1982. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 17 after "Energy" strike "for" and insert "alleging"

On page 1, line 24 after "actions" strike "are" and insert "they deem"

Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong, Gallagher, Jacobsen, Long, Madsen, Miller and Unsoeld.

Voting nay: Representatives Barnes, Bond, Isaacson, Nealey and Van Luven.

Passed to Committee on Rules for second reading.

April 2, 1985

ESCR 115 Prime Sponsor, Senator Warnke: Establishing the joint select committee on international trade, tourism, and investment. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 20 after "Committee on" strike "Commerce" and insert "Trade"



Signed by Representatives McMullen, Chair; Kremen, Vice Chair; Braddock, Day, Doty, Hargrove, J. King, May, Niemi, Rayburn, Schmidt, Schoon, Scott, Silver, L. Smith, Smitherman, van Dyke and Vekich.

Voting nay: Representative Thomas.

Absent: Representatives Dobbs, Lundquist, Tanner, B. Williams and Wineberry.

Passed to Committee on Rules for second reading.

#### SENATE AMENDMENT TO HOUSE BILL

March 29, 1985

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 21 with the following amendment:

On page 5, beginning on line 21 after "(2)" strike all material through "director." on line 29 and insert "In lieu of any other penalty imposed under this section, a person who acts as a nursery dealer without the license required by RCW 15.13.280 or the permit required by RCW 15.13.270 is subject to a civil penalty of up to two hundred dollars for each violation. The director may impose the penalty and the penalty shall be subject to appeal in accordance with chapter 34.04 RCW."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Vekich moved that the House do concur in the Senate amendment to Engrossed House Bill No. 21.

Representatives Vekich and Nealey spoke in favor of the motion, and it was carried.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 21 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 21 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Sanders - 1.

Excused: Representative Wang - 1.

Engrossed House Bill No. 21 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SENATE AMENDMENTS TO HOUSE BILL

March 29, 1985

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 149 with the following amendments:

On page 1, line 9 and page 1, line 24, after "or" and before "is" insert "the assessor or the county treasurer is certain that the property" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

Ms. Haugen moved that the House do not concur in the Senate amendments to House Bill No. 149 and ask the Senate to recede therefrom.

Representatives Haugen and Brough spoke in favor of the motion, and it was carried.

## SENATE AMENDMENT TO HOUSE BILL

March 29, 1985

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 409 with the following amendment:

On page 1, line 16 after "chapter." insert "The provisions of this section shall not affect the use of the words 'architect,' 'architecture,' or 'architectural' where a person does not practice or offer to practice architecture."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

Mr. Sayan moved that the House do concur in the Senate amendment to Engrossed House Bill No. 409.

Representatives Sayan and J. Williams spoke in favor of the motion, and it was carried.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 409 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 409 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Fuhrman - 1.

Excused: Representative Wang - 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.

## SENATE AMENDMENTS TO HOUSE BILL

April 3, 1985

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 601 with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 82.08.050, chapter 15, Laws of 1961 as last amended by section 7, chapter 299, Laws of 1971 ex. sess. 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 department 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 department, 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 gross misdemeanor.

In case any seller fails to collect the tax herein imposed or having collected the tax, fails to pay it to the department 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 department, 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) in any sales invoice or other instrument of sale. For purposes of determining the tax due from the buyer to the seller and from the seller to the department it shall be conclusively 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, but if the seller advertises the price as including the tax or that the seller is paying the tax, the advertised price shall not be considered the selling price.

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 department, the department 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 department; and all of the provisions of chapter 82.32 RCW, 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 RCW, the fifteenth day of the month following the tax period in which the purchase was made shall be considered as the due date of the tax.

NEW SECTION. Sec. 2. A new section is added to chapter 82.08 RCW to read as follows:

A seller may advertise the price as including the tax or that the seller is paying the tax, subject to the following conditions:

(1) Unless the advertised price is one in a listed series, the words 'tax included' are stated immediately following the advertised price and in print size at least half as large as the advertised price;

(2) If the advertised prices are listed in a series, the words 'tax included in all prices' are placed conspicuously at the head of the list and in the same print size as the advertised prices;

(3) If a price is advertised as 'tax included,' the price listed on any price tag shall be shown in the same manner; and

(4) All advertised prices and the words 'tax included' are stated in the same medium, be it oral or visual, and if oral, in substantially the same inflection and volume.

Sec. 3 Section 82.08.010, chapter 15, Laws of 1961 as last amended by section 2, chapter 2, Laws of 1985 and RCW 82.08.010 are each amended to read as follows:

For the purposes of this chapter:

(1) 'Selling price' means the consideration, whether money, credits, rights, or other property except trade-in property of like kind, expressed in the terms of money paid or delivered by a buyer to a seller without any deduction on account of the cost of tangible property sold, the cost of materials used, labor costs, interest, discount, delivery costs, taxes other than taxes imposed under this chapter if the seller advertises the price as including the tax or that the seller is paying the tax, or any other expenses whatsoever paid or accrued and without any deduction on account of losses; but shall not include the amount of cash discount actually taken by a buyer; and shall be subject to modification to the extent modification is provided for in RCW 82.08.080.

When tangible personal property is rented or leased under circumstances that the consideration paid does not represent a reasonable rental for the use of the articles so rented or leased, the 'selling price' shall be 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 as the department of revenue may prescribe:

(2) 'Seller' means every person, including the state and its departments and institutions, making sales at retail or retail sales to a buyer or consumer, whether as agent, broker, or principal, except 'seller' does not mean the state and its departments and institutions when making sales to the state and its departments and institutions;

(3) 'Buyer' and 'consumer' include, without limiting the scope hereof, every individual, receiver, assignee, trustee in bankruptcy, trust, estate, firm, copartnership, joint venture, club, company, joint stock company, business trust, corporation, association, society, or any group of individuals acting as a unit, whether mutual, cooperative, fraternal, nonprofit, or otherwise, municipal corporation, quasi municipal corporation, and also the state, its departments and institutions and all political subdivisions thereof, irrespective of the nature of the activities engaged in or functions performed, and also the United States or any instrumentality thereof;

(4) The meaning attributed in chapter 82.04 RCW to the terms 'tax year,' 'taxable year,' 'person,' 'company,' 'sale,' 'sale at retail,' 'retail sale,' 'sale at wholesale,' 'wholesale,' 'business,' 'engaging in business,' 'cash discount,' 'successor,' 'consumer,' 'in this state' and 'within this state' shall apply equally to the provisions of this chapter.

Sec. 4. Section 82.08.120, chapter 15, Laws of 1961 as amended by section 51, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.08.120 are each amended to read as follows:

Whoever, excepting as expressly authorized by this chapter, refunds, remits, or rebates to a buyer, either directly or indirectly and by whatever means, all or any part of the tax levied by this chapter (~~(or makes in any form of advertising, verbal or otherwise, any statements which might infer that he is absorbing the tax or paying the tax for the buyer by an adjustment of prices, or at a price including the tax, or in any other manner whatsoever)~~) shall be guilty of a misdemeanor. The violation of this section by any person holding a license granted by the state or any political subdivision thereof shall be sufficient grounds for the cancellation of the license of such person upon written notification by the department of revenue to the proper officer of the department granting the license that such person has violated the provisions of this section. Before any license shall be canceled hereunder, the licensee shall be entitled to a hearing before the department granting the license under such regulations as the department may prescribe.

**NEW SECTION.** Sec. 5. This act is necessary for the immediate preservation of the public peace, health, and safety, and the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 1 of the title, after "taxes;" strike the remainder of the title and insert "amending RCW 82.08.050, 82.08.010, and 82.08.120; adding a new section to chapter 82.08 RCW; and declaring an emergency."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Ms. Nutley, the House concurred in the Senate amendments to Engrossed House Bill No. 601.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 601 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 601 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luvan, Vander Stoep, Vekich, Walk, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Addison - 1.

Excused: Representative Wang - 1.

Engrossed House Bill No. 601 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SENATE AMENDMENT TO HOUSE BILL

March 29, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1063 with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 1, chapter 57, Laws of 1984 (uncodified) is amended to read as follows:

There is created (~~(a provisional)~~) an international marketing program for agricultural commodities and trade (IMPACT) center at Washington State University (~~(which shall terminate on June 30, 1985, and which shall be referred to in this act as "the center.")~~);

In carrying out each of its responsibilities under section 2 of this 1985 act, the primary functions of the center shall be: Providing practical solutions to marketing-related problems; and developing and disseminating information which is directly applicable to the marketing of agricultural commodities and goods from this state in foreign countries or to introducing the production of commodities and goods in this state for marketing in foreign countries.

Sec. 2. Section 2, chapter 57, Laws of 1984 (uncodified) is amended to read as follows:

The ((provisional)) IMPACT center shall:

(1) Coordinate the teaching, research, and extension expertise of the college of agriculture and home economics at Washington State University to assist in:

(a) The design and development of information and strategies to expand the long-term international markets for Washington agricultural products; and

(b) The dissemination of such information and strategies to Washington exporters, overseas users, and public and private trade organizations;

(2) Research and identify current impediments to increased exports of Washington agricultural products, and determine methods of surmounting those impediments and opportunities for exporting new agricultural products and commodities to foreign markets;

(3) Prepare curricula to present and distribute information concerning international trade in agricultural commodities and products to students, exporters, international traders, and the public; ((and))

(4) Provide high-quality research and graduate education and professional nondegree training in international trade in agricultural commodities in cooperation with other existing programs;

(5) Ensure that activities of the center adequately reflect the objectives for the state's agricultural market development programs established by the department of agriculture as the lead state agency for such programs under chapter 43.23 RCW;

(6) Link itself through cooperative agreements with the ((provisional)) center for international trade in forest products at the University of Washington, the state department of agriculture, the state department of commerce and economic development, Washington's agriculture businesses and associations, and other state agency data collection, processing, and dissemination efforts; and

(7) Report to the governor and legislature December 1 of each year on the IMPACT center, state agricultural commodities marketing programs, and the center's success in obtaining non-state funding for its operation.

Sec. 3. Section 3, chapter 57, Laws of 1984 (uncodified) is amended to read as follows:

The ((provisional)) IMPACT center shall be administered by a director appointed by the dean of the college of agriculture and home economics of Washington State University.

Sec. 4. Section 6, chapter 57, Laws of 1984 (uncodified) is amended to read as follows:

The governor, the legislature, state agencies, and the public may use the IMPACT center's trade policy research and advisory services as may be needed. The IMPACT center shall establish a schedule of fees for actual services rendered.

Sec. 5. Section 7, chapter 57, Laws of 1984 (uncodified) is amended to read as follows:

The IMPACT center shall ((seek)) aggressively solicit financial contributions and support from nonstate sources, including the agricultural industries and producer organizations and individuals, to help fund its research and education programs, and shall use previously appropriated funds of Washington State University and existing resources as much as is possible to further the center's activities.

NEW SECTION. Sec. 6. Sections 1 through 5 of this act are each added to chapter 28B.30 RCW.

NEW SECTION. Sec. 7. The following acts or parts of acts are each repealed:

(1) Section 4, chapter 57, Laws of 1984 (uncodified);

(2) Section 5, chapter 57, Laws of 1984 (uncodified); and

(3) Section 8, chapter 57, Laws of 1984 (uncodified).

NEW SECTION. Sec. 8. A new section is added to chapter 43.131 RCW to read as follows:

The international marketing program for agricultural commodities and trade at Washington State University shall be terminated on June 30, 1990, as provided in section 9 of this 1985 act.

NEW SECTION. Sec. 9. A new section is added to chapter 43.131 RCW to read as follows:

The following acts, or parts of acts, as now existing or as hereafter amended, are each repealed, effective June 30, 1991:

(1) Section 1, chapter 57, Laws of 1984, section 1 of this 1985 act and RCW 28B.30.---;

(2) Section 2, chapter 57, Laws of 1984, section 2 of this 1985 act and RCW 28B.30.---;

(3) Section 3, chapter 57, Laws of 1984, section 3 of this 1985 act and RCW 28B.30.---;

(4) Section 6, chapter 57, Laws of 1984, section 4 of this 1985 act and RCW 28B.30.---; and

(5) Section 7, chapter 57, Laws of 1984, section 5 of this 1985 act and RCW 28B.30.---.

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 June 30, 1985."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. McMullen, the House concurred in the Senate amendment to Substitute House Bill No. 1063.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 1063 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1063 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Wang - 1.

Substitute House Bill No. 1063 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SECOND READING

SENATE BILL NO. 3406, by Senators Warnke, Newhouse, Wojahn, McManus, Rasmussen, Cantu and Vognild; by Employment Security Department request

Eliminating certain requirements for shared work compensation programs.

The bill was read the second time. On motion of Mr. Dellwo, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Fisch and Patrick spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3406, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Wang - 1.

Senate Bill No. 3406, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 3407, by Committee on Commerce & Labor (originally sponsored by Senators Warnke, Newhouse, Wojahn, McManus, Rasmussen, Cantu and Vognilid; by Employment Security Department request)

Changing provisions relating to approved training for purposes of unemployment compensation.

The bill was read the second time. On motion of Mr. Dellwo, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Fisch spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3407, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nulley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Wang - 1.

Substitute Senate Bill No. 3407, having received the 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. 3408, by Senators Warnke, Newhouse, Wojahn, McManus, Rasmussen, Cantu and Vognilid; by Employment Security Department request

Limiting the definition of employer for unemployment insurance purposes.

The bill was read the second time. On motion of Mr. Dellwo, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Fisch and Patrick spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3408, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nulley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Wang - 1.

Senate Bill No. 3408, having received the 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. 3409, by Senators Warnke, Newhouse, Granlund, Wojahn, McManus, Rasmussen, Cantu, Lee and Vognild; by Employment Security Department request

Specifying types of benefit payments not charged to employers' unemployment insurance experience rating accounts.

The bill was read the second time. On motion of Mr. Dellwo, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Fisch spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3409, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Wang - 1.

Senate Bill No. 3409, having received the 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. 3438, by Committee on Energy & Utilities (originally sponsored by Senators Williams, Benitz, McCaslin, Bailey, Saling and Stratton; by Washington State Energy Office request)

Extending the governors powers to declare energy emergencies.

The bill was read the second time. Committee on Energy & Utilities recommendation: Majority, do pass as amended. (For amendments, see Journal, 73rd Day, March 27, 1985.)

Mr. D. Nelson moved adoption of the committee amendment.

Representatives D. Nelson and Isaacson spoke in favor of the amendment, and it was adopted.

On motion of Mr. D. Nelson, the committee amendment to the title of the bill was adopted.

On motion of Mr. Dellwo, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. D. Nelson spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3438 as amended by the House, and the bill passed the House by the following vote: Yeas, 82; nays, 15; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Van Luven, Vekich, Walk, Walker, Williams B, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 82.

Voting nay: Representatives Betzoff, Bond, Dobbs, Fuhrman, Hastings, Isaacson, Lundquist, Nealey, Padden, Prince, Sanders, van Dyke, Vander Stoep, West, Williams J - 15.

Excused: Representative Wang - 1.



Substitute Senate Bill No. 3438 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 3547, by Senators Granlund, Kiskaddon, Kreidler, Johnson, Deccio, Peterson, Conner and Stratton

Revising provisions relating to school immunization programs.

The bill was read the second time. Committee on Social & Health Services recommendation: Majority, do pass as amended. (For amendments, see Journal, 78th Day, April 1, 1985.)

On motion of Mr. Day, the committee amendments were adopted.

On motion of Mr. Dellwo, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Day spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3547 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brække, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Wang - 1.

Senate Bill No. 3547 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 4266, by Senators Williams and Benitz; by Energy Facility Site Evaluation request

Modifying provisions on the energy facility site evaluation council.

The bill was read the second time. Committee on Energy & Utilities recommendation: Majority, do pass with the following amendment:

On page 1, line 19 after "shall" insert "with the concurrence of the council."

On motion of Mr. D. Nelson, the committee amendment was adopted.

On motion of Mr. Dellwo, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives D. Nelson and Isaacson spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4266 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 3; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Bond, Braddock, Brække, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, West, Williams B, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representatives Betzoff, Schmidt, Williams J - 3.

Excused: Representative Wang - 1.

Senate Bill No. 4266 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 3361, by Committee on Financial Institutions (originally sponsored by Senators Moore and Sellar)

Regulating savings banks; providing for acquisition of control; and regulating conversions.

The bill was read the second time. Committee on Financial Institutions & Insurance recommendation: Majority, do pass as amended. (For amendment, see Journal, 80th Day, April 3, 1985.)

On motion of Mr. Lux, the committee amendment was adopted.

On motion of Mr. Dellwo, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Lux and Winsley spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3361 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Wang - 1.

Substitute Senate Bill No. 3361 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTIONS

On motion of Mr. Dellwo, the House advanced to the eighth order of business.

On motion of Mr. J. King, SENATE BILL NO. 3456 and ENGROSSED SENATE BILL NO. 4127 were rereferred from Committee on Ways & Means to Committee on Rules.

The Speaker declared the House to be at ease subject to the call of the Speaker.

#### EVENING SESSION

The Speaker called the House to order at 8:00 p.m.

The House reverted to the fifth order of business.

#### REPORTS OF STANDING COMMITTEES

April 4, 1985

ESSB 3027 Prime Sponsor, Committee on Commerce & Labor: Requiring refueling services for disabled drivers except by stations which are solely cashier-attended. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

**NEW SECTION, Sec. 1.** A new section is added to chapter 70.84 RCW to read as follows:

(1) Every person, firm, partnership, association, trustee, or corporation which operates a gasoline service station, or other facility which offers gasoline or other motor vehicle fuel for

sale to the public from such a facility, shall provide, upon request, refueling service to disabled drivers, unaccompanied by passengers capable of safely providing refueling service, of vehicles which display a disabled person's license plate, decal, or special card issued by the department of licensing. The price charged for the motor vehicle fuel in such a case shall be no greater than that which the facility otherwise would charge the public generally to purchase motor vehicle fuel without refueling service. This section does not require a facility to provide disabled drivers with services, including but not limited to checking oil or cleaning windshields, other than refueling services.

(2) This section does not apply to:

(a) Exclusive self-service gas stations which have remotely controlled gas pumps and which never provide pump island service; and

(b) Convenience stores which sell gasoline, which have remotely controlled gas pumps and which never provide pump island service.

(3) Any person who, as a responsible managing individual setting service policy of a station or facility or as an employee acting independently against set service policy, acts in violation of this section is guilty of a misdemeanor. This subsection shall be enforced by the prosecuting attorney.

(4) The human rights commission shall, upon the filing of a verified written complaint by any person, investigate the actions of any person, firm, partnership, association, trustee, or corporation alleged to have violated this section. The complaint shall be in the form prescribed by the commission. The commission may, upon its own motion, issue complaints and conduct investigations of alleged violations of this section.

RCW 49.60.240 through 49.60.280 shall apply to complaints under this section.

(5) In addition to those matters referred pursuant to subsection (3) of this section, the prosecuting attorney may investigate and prosecute alleged violations of this section.

(6) Any person who intentionally displays a license plate, decal, or special card which is invalid, or which was not lawfully issued to that person, for the purpose of obtaining refueling service under subsection (1) of this section shall be subject to a civil fine of one hundred dollars for each such violation.

(7) A notice setting forth the provisions of this section shall be provided by the department of licensing to every person, firm, partnership, association, trustee, or corporation which operates a gasoline service station, or other facility which offers gasoline or other motor vehicle fuel for sale to the public from such a facility.

(8) A notice setting forth the provisions of this section shall be provided by the department of licensing to every person who is issued a disabled person's license plate, decal, or special card.

(9) For the purposes of this section, 'refueling service' means the service of pumping motor vehicle fuel into the fuel tank of a motor vehicle.

(10) Nothing in this section limits or restricts the rights or remedies provided under chapter 49.60 RCW."

Signed by Representatives Wang, Chair; Cole, Vice Chair; Betrozoff, Chandler, Fisch, Fisher, R. King, O'Brien, Patrick, Sayan and C. Smith.

MINORITY recommendation: Do not pass. Signed by Representatives Walker and J. Williams.

Voting nay: Representatives Betrozoff, Chandler, Walker and J. Williams.

Passed to Committee on Rules for second reading.

April 4, 1985

SSB 3029 Prime Sponsor, Committee on Financial Institutions: Modifying provisions relating to the cashing of government checks by financial institutions. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. The legislature finds that the fees charged by some financial institutions to cash noncustomer government checks and warrants impose a hardship on citizens who receive financial assistance from the state or federal government.

The legislature recognizes that in an era of deregulation and increased competition, some services offered by financial institutions may no longer be provided free of charge to the public. Nevertheless, the legislature encourages financial institutions to assist in the attainment of public policy objectives involving fund transfers between the government and its citizens by providing check-cashing services at little or no cost to recipients of government checks and warrants.

The legislature further encourages financial institutions to develop checking accounts which provide basic services at minimal cost so that recipients of government checks and warrants can avoid check-cashing fees by becoming customers of the financial institution.

**NEW SECTION.** Sec. 2. (1) By January 1, 1986, the supervisors of banking and savings and loan associations shall report to the legislature on efforts made by financial institutions to provide basic checking services at low cost and to remove or lower fees charged for cashing government checks for noncustomers.

(2) The report shall contain:

(a) A current list, prepared by the supervisor of banking, of the basic checking accounts offered and fees imposed for cashing government checks for noncustomers by state and federal commercial banks and savings banks doing business in Washington; and

(b) A current list, prepared by the supervisor of savings and loan associations, of the basic checking accounts offered and fees imposed for cashing government checks for noncustomers by state and federal savings and loan associations doing business in Washington.

(3) The report shall be transmitted to the governor, the speaker of the state house of representatives, the president of the senate, and the chairmen of the financial institutions committees of each house of the legislature.

**NEW SECTION.** Sec. 3. A new section is added to chapter 46.20 RCW to read as follows:

In addition to the use of identicards prescribed under RCW 46.20.185, identicards may also be used to establish proof of identity for purposes of the presentment of checks and other negotiable instruments."

On page 1, line 1 of the title, after "institutions;" strike the remainder of the title and insert "adding a new section to chapter 46.20 RCW; and creating new sections."

Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Addison, Barrett, Crane, Dellwo, Holland, P. King, Locke, Nutley, Prince, West and Winsley.

Absent: Representative Grimm.

Passed to Committee on Rules for second reading.

April 4, 1985

**SSB 3035** Prime Sponsor, Committee on Transportation: Modifying provisions relating to drivers' and motorcyclists' licenses. Reported by Committee on Transportation

**MAJORITY recommendation:** Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 10, chapter 260, Laws of 1981 and RCW 46.20.055 are each amended to read as follows:

(1) Any person who is at least fifteen and a half years of age may apply to the department for an instruction permit for the operation of any motor vehicle except a motorcycle. Any person who is at least sixteen years of age may apply for an instruction permit for the operation of a motorcycle. The department may in its discretion, after the applicant has successfully passed all parts of the examination other than the driving test, issue to the applicant ~~((an))~~ a driver's or motorcyclist's instruction permit ((which shall)).

(a) A driver's instruction permit entitles the ((applicant)) permittee while having ((such)) the permit in immediate possession to drive a motor vehicle upon the public highways for a period of one year when accompanied by a licensed driver who has had at least five years of driving experience and is occupying a seat beside the driver((-except if the permittee is operating a motorcycle)). Except as provided in subsection (c) of this subsection, only one additional ((instruction)) permit, valid for one year, may be issued.

(b) A motorcyclist's instruction permit entitles the permittee while having the permit in immediate possession to drive a motorcycle upon the public highways for a period of ninety days as provided in RCW 46.20.510(3). Except as provided in subsection (c) of this subsection, only one additional permit, valid for ninety days, may be issued.

(c) The department after investigation may ((in its discretion)) issue a third driver's or motorcyclist's instruction permit ((where)) when it finds that the permittee is diligently seeking to improve driving proficiency.

(2) The department upon receiving proper application may in its discretion issue ~~((an))~~ a driver's instruction permit effective for a school semester or other restricted period to an applicant who is at least fifteen years of age and is enrolled in a traffic safety education program which includes practice driving and which is approved and accredited by the superintendent of public instruction. Such instruction permit shall entitle the permittee having the permit in immediate possession to drive a motor vehicle only when an approved instructor or other licensed driver with at least five years of driving experience, is occupying a seat beside the permittee.

(3) The department may in its discretion issue a temporary driver's permit to an applicant for a driver's license permitting the applicant to drive a motor vehicle for a period not to exceed sixty days while the department is completing its investigation and determination of all facts relative to such applicant's right to receive a driver's license. Such permit must be in the ~~((applicant's))~~ permittee's immediate possession while driving a motor vehicle, and it shall be

invalid when the (~~applicant's~~) permittee's license has been issued or for good cause has been refused.

Sec. 2. Section 46.20.100, chapter 12, Laws of 1961 as last amended by section 146, chapter 158, Laws of 1979 and RCW 46.20.100 are each amended to read as follows:

The department of licensing shall not consider (~~the~~) an application of any minor under the age of eighteen years for a driver's license or the issuance of a motorcycle endorsement for a particular category unless:

(1) The application is also signed by the father or mother of the applicant, otherwise by the parent or guardian having the custody of such minor, or in the event a minor under the age of eighteen has no father, mother, or guardian, then a driver's license shall not be issued to the minor unless his or her application is also signed by (~~his~~) the minor's employer; and

(2) The (~~minor~~) applicant has satisfactorily completed a traffic safety education course as defined in RCW 46.81.010, conducted by a recognized secondary school, that meets the standards established by the office of the state superintendent of public instruction or the (~~minor~~) applicant has satisfactorily completed a traffic safety education course, conducted by a commercial driving instruction enterprise, that meets the standards established by the office of the superintendent of public instruction and is officially approved by that office on an annual basis: PROVIDED, HOWEVER, That the director may upon a showing that an (~~individual~~) applicant was unable to take or complete a driver education course waive (~~said~~) that requirement if the (~~minor~~) applicant shows to the satisfaction of the department that a need exists for (~~him~~) the applicant to operate a motor vehicle and he or she has the ability to operate a motor vehicle in such a manner as not to jeopardize the safety of persons or property, under rules to be promulgated by the department in concert with the supervisor of the traffic safety education section, office of the superintendent of public instruction. For a person under the age of eighteen years to obtain a motorcycle endorsement, he or she must successfully complete a motorcycle safety education course that meets the standards established by the department of licensing.

The department may waive any education requirement under this subsection for an applicant previously licensed to drive a motor vehicle or motorcycle outside this state if the applicant provides proof satisfactory to the department that he or she has had education equivalent to that required under this subsection.

Sec. 3. Section 3, chapter 77, Laws of 1982 and RCW 46.20.510 are each amended to read as follows:

(1) There shall be three categories for the special motorcycle endorsement of a driver's license. Category one shall be for motorcycles or motor-driven cycles having an engine displacement of one hundred fifty cubic centimeters or less. Category two shall be for motorcycles having an engine displacement of five hundred cubic centimeters or less. Category three shall include categories one and two, and shall be for motorcycles having an engine displacement of five hundred one cubic centimeters or more.

(2) A motorcycle endorsement issued prior to June 10, 1982, is deemed to be for category three. Thereafter, a person first seeking a motorcycle endorsement or a person seeking an endorsement to operate a motorcycle with an engine displacement of a higher category than the one covered by his or her existing endorsement, shall obtain an endorsement for the appropriate category pursuant to RCW 46.20.505 through 46.20.515.

(3) The department may issue (~~an~~) a motorcyclist's instruction permit to an individual who wishes to learn to ride a motorcycle or obtain an endorsement of a larger endorsement category. This permit and a valid driver's license with current endorsement, if any, shall be carried when operating a motorcycle. An individual with (~~an~~) a motorcyclist's instruction permit may not carry passengers, may not operate a motorcycle during the hours of darkness or on a fully controlled, limited access facility, and shall be under the direct visual supervision of a person with a motorcycle endorsement of the appropriate category."

Signed by Representatives Walk, Chair; Wineberry, Vice Chair; Baugher, Betzoff, Bond, Brough, Fisch, Fisher, Gallagher, Hankins, Haugen, Kremen, Lundquist, McMullen, Patrick, Prince, Schmidt, C. Smith, Sutherland, Thomas, Valle, Van Luvan, J. Williams, K. Wilson and Zellinsky.

Voting nay: Representative Tanner.

Absent: Representatives Fisch, Gallagher, Hankins, C. Smith, Valle and Zellinsky.

Passed to Committee on Rules for second reading.

April 4, 1985

SSB 3056 Prime Sponsor, Committee on Education: Limiting salary increases for certain administrators and presidents of institutions of higher education. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

**"NEW SECTION.** Sec. 1. The council for postsecondary education or its successor agency shall establish mandatory compensation guidelines for exempt employees of public institutions of higher education."

On page 1, on line 1 of the title, after "education; and" strike all material through "28B.50-.140" on line 2 and insert "creating a new section"

Signed by Representatives Sommers, Chair; Jacobsen, Vice Chair; Allen, Belcher, Miller, D. Nelson, Unsoeld, K. Wilson and Wineberry.

Voting nay: Representatives Basich, Hastings, Prince and Silver.

Absent: Representatives Miller, G. Nelson and Vander Stoep.

Passed to Committee on Rules for second reading.

April 4, 1985

SSB 3059 Prime Sponsor, Committee on Commerce & Labor: Changing manner in which certain unemployment benefit payments are charged to employers for purposes of calculating contribution rates. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Betzoff, Chandler, Ebersole, Fisch, Fisher, R. King, O'Brien, Patrick, Sayan, C. Smith, Walker and J. Williams.

Passed to Committee on Rules for second reading.

April 5, 1985

ESB 3091 Prime Sponsor, Senator Talmadge: Providing for the forfeiture of real estate contracts. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, P. King, Lewis, Locke, G. Nelson, Padden, Schmidt, Schoon, Tilly, Van Luven and West.

Absent: Representatives Appelwick, P. King, Niemi, Schoon and Wang.

Passed to Committee on Rules for second reading.

April 5, 1985

SB 3103 Prime Sponsor, Senator Rasmussen: Modifying references to the award in lieu of homestead. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, P. King, Lewis, Locke, G. Nelson, Niemi, Padden, Schmidt, Schoon, Tilly, Van Luven and West.

Absent: Representatives P. King, Lewis, Schoon, Tilly and Wang.

Passed to Committee on Rules for second reading.

April 5, 1985

SB 3104 Prime Sponsor, Senator Talmadge: Repealing statutes superseded by court rules. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, P. King, Lewis, Locke, G. Nelson, Niemi, Padden, Schmidt, Schoon, Tilly, Van Luven and West.

Voting nay: Representative Locke.

Absent: Representatives P. King, Schoon, Tilly and Wang.

Passed to Committee on Rules for second reading.

April 4, 1985

ESSB 3116 Prime Sponsor, Committee on Natural Resources: Modifying provisions relating to damage being done by wildlife. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 12, after "authority," strike lines 13 through 20 and insert "For the purposes of this section, 'emergency' means an unforeseen circumstance beyond the control of the landowner or tenant that presents a real and immediate threat to crops, domestic animals, fowl, or other property.

Alternatively, when sufficient time for the issuance of a permit by the director is not available, verbal permission may be given by the appropriate game department regional administrator to owners or tenants of real property to trap or kill on that property any deer, elk, or protected wildlife which is damaging crops, domestic animals, fowl, or other property. The regional administrator may delegate, in writing, a member of the regional staff to give the required permission in these emergency situations. Nothing in this section authorizes in any situation the trapping, hunting, or killing of an endangered species.

Wildlife trapped or killed under this section remains the property of the state, and the person trapping or killing the wildlife shall notify the department immediately. The commission ~~((may specify by rule the disposition of wildlife so taken))~~ shall dispose of wildlife so taken within three working days of receiving such a notification.

If the department receives recurring complaints regarding property being damaged as described in this section from the owner or tenant of real property, or receives such complaints from several such owners or tenants in a locale, the commission shall consider conducting a special hunt or special hunts to reduce the potential for such damage.

For purposes of this section, "crop" means an agricultural or horticultural product growing or harvested and ~~((excludes))~~ includes wild shrubs and range land vegetation on privately owned cattle ranching lands. On such lands, the land owner or lessee may declare an emergency when the department of game has not responded within forty-eight hours after having been contacted by the land owner or lessee regarding crop damage by wild animals or wild birds. However, the department shall not allow claims for damage to wild shrubs or range land vegetation on such lands.

Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Basich, Cole, Dobbs, Fuhrman, Hargrove, Leonard, McMullen, D. Nelson, Sanders, Thomas, van Dyke and J. Williams.

Voting nay: Representatives Belcher, Cole, Hankins and Haugen.

Absent: Representative Sayan.

Passed to Committee on Rules for second reading.

April 4, 1985

SB 3120 Prime Sponsor, Senator Conner: Modifying certain motor vehicle standards. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendments:

On page 2, after line 21, insert the following:

"Sec. 2. Section 46.44.037, chapter 12, Laws of 1961 as last amended by section 53, chapter 7, Laws of 1984 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 department of transportation, operation of the following combinations is lawful:

(1) A combination consisting of a truck tractor, a semitrailer, and another semitrailer or a full trailer. In this ~~((connection))~~ combination 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 driveway service where two of the vehicles are towed by the third in double saddlemount position;

(3) A combination consisting of a truck tractor carrying a freight compartment no longer than eight feet, a semitrailer, and another semitrailer or full trailer that meets the legal length requirement for a truck and trailer combination set forth in RCW 46.44.030."

Renumber the sections following consecutively, and correct internal references accordingly.

On page 1, line 2 of the title, after "46.44.030," insert "46.44.037."

Signed by Representatives Walk, Chair; Wineberry, Vice Chair; Baugher, Betrozoff, Bond, Brough, Fisch, Fisher, Gallagher, Hankins, McMullen, Patrick, Schmidt, C. Smith, Sutherland, Tanner, Thomas, Valle, Van Luven, J. Williams, K. Wilson and Zellinsky.

Voting nay: Representatives Haugen and Lundquist.

Passed to Committee on Rules for second reading.

April 2, 1985

SSB 3125 Prime Sponsor, Committee on Transportation: Authorizing construction of the Quinault Tribal Highway. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. The department of transportation is authorized to enter into a cooperative agreement with the governing authority for the Indian peoples of the Quinault Indian Reservation and appropriate agencies of the United States for the location, design, right of way acquisition, construction, and maintenance of a highway beginning at the south boundary of the Quinault Indian reservation on state route number 109, thence northerly along the present right of way of state route number 109 to the township line, thence inland and northerly across the Raft river to an intersection with state route number 101 south of Queets. The highway shall be known as the 'Tribal Highway' and may also be designated by the department as state route number 109. It is anticipated that this highway construction will be funded from federal sources other than normal federal aid highway allocations.

NEW SECTION, Sec. 2. As a part of the agreement, the department may assume responsibility for the operation and maintenance and future improvement of the highway. The agreement may also reserve to the governing authority for the Indian peoples of the Quinault Indian Reservation authority to construct public road intersections or grade separation crossings of the highway. Existing rights of access from adjoining property to existing state route number 109 from the south reservation boundary to the township line shall not be affected by sections 1 through 6 of this act or the agreement authorized by section 1 of this act.

NEW SECTION, Sec. 3. The department is authorized to determine the location of the highway from the township line to a junction with state route number 101 after consultations with the governing authority for the Indian peoples of the Quinault Indian Reservation and the bureau of Indian affairs. The department may then proceed with the establishment of this section of the highway as a limited access facility in the manner prescribed in RCW 47.52.131 through 47.52.137 and 47.52.195 (and the administrative rules adopted by the department to implement those sections), subject, however, to the following conditions: (1) The access report required by RCW 47.52.131 shall be approved by the governing authority for the Indian peoples of the Quinault Indian Reservation before public hearings; and (2) the final limited access plan adopted pursuant to RCW 47.52.137 at the conclusion of the public hearing, or after any appeal from it has been decided, shall be approved by the governing authority for the Indian peoples of the Quinault Indian Reservation and the bureau of Indian affairs before right of way is acquired for this section of highway.

NEW SECTION, Sec. 4. The department is authorized to acquire the remaining right of way for the Tribal Highway by purchase or by condemnation under state of federal eminent domain statutes. The secretary of transportation pursuant to the agreement is authorized to convey by deed to the governing authority for the Indian peoples of the Quinault Indian Reservation the right of way to the entire highway when fully acquired in return for a conveyance by the governing authority for the Indian peoples of the Quinault Indian Reservation to the state of Washington of a perpetual easement for public travel on the through lanes and shoulders of the highway when constructed. The agreement may also authorize the governing authority for the Indian peoples of the Quinault Indian Reservation to convey to the United States an easement to construct, maintain, and repair the highway improvements if such an easement is required by regulations of the bureau of Indian affairs.

NEW SECTION, Sec. 5. Except as otherwise provided by sections 1 through 6 of this act or by the agreement authorized by section 1 of this act, the department may proceed with the location, design, acquisition of right of way, construction, and maintenance of the highway as an agent of the governing authority for the Indian peoples of the Quinault Indian Reservation in accordance with applicable state or federal law.

NEW SECTION, Sec. 6. The department is authorized to join with the governing authority for the Indian peoples of the Quinault Indian Reservation to seek federal funding for the construction of the Tribal Highway.

NEW SECTION, Sec. 7. Sections 1 through 6 of this act shall be added to chapter 47.20 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.'

Signed by Representatives Walk, Chair; Wineberry, Vice Chair; Baugher, Fisch, Fisher, Gallagher, Kremen, Lundquist, McMullen, Prince, Sutherland, Tanner, Valle and K. Wilson.

MINORITY recommendation: Do not pass. Signed by Representatives Betzoff, Bond, Hankins, Haugen, Patrick, Schmidt, C. Smith, Thomas, J. Williams and Zellinsky.



Absent: Representative Brough.

Passed to Committee on Rules for second reading.

April 4, 1985

ESB 3134 Prime Sponsor, Senator Goltz: Permitting installment payments of tuition and fees at institutions of higher education. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass with the following amendments:

On page 2, beginning on line 21 strike all material through "act." on line 25.

On page 1, line 3 of the title after "28B.15 RCW;" insert "and"

On page 1, beginning on line 3 of the title after "section" strike all material through "appropriation" on line 4

Signed by Representatives Sommers, Chair; Jacobsen, Vice Chair; Allen, Basich, Belcher, Hastings, Miller, D. Nelson, G. Nelson, Prince, Silver, Unsoeld, K. Wilson and Wineberry.

Absent: Representative Vander Stoep.

Passed to Committee on Rules for second reading.

April 4, 1985

SSB 3145 Prime Sponsor, Committee on Ways & Means: Clarifying the distribution of forest reserve funds for county roads and schools. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Ebersole, Chair; Valle, Vice Chair; Appelwick, Betrozoff, Chandler, Cole, Fuhrman, Holland, Long, Peery, Rayburn, Rust, Schoon, L. Smith, Taylor, Todd, Walker and Wang.

Absent: Representatives Chandler, P. King, Schoon, L. Smith, Taylor and Todd.

Passed to Committee on Rules for second reading.

April 5, 1985

SB 3202 Prime Sponsor, Senator McCaslin: Modifying provisions relating to initial assessed property valuations. Reported by Committee on Local Government

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 10 after "number" insert "where available"

On page 1, beginning on line 11 strike all of section 2.

On page 1, beginning on line 1 of the title after "36.21.060" strike "and 36.21.070"

Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Allen, Doty, Ebersole, Hine, Patrick, Rayburn and Zellinsky.

Voting nay: Representatives Bristow, Isaacson and Zellinsky.

Absent: Representative Smitherman.

Passed to Committee on Rules for second reading.

April 4, 1985

SB 3204 Prime Sponsor, Senator Gaspard: Providing for activities in observance of Veterans' Day in the schools. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Ebersole, Chair; Valle, Vice Chair; Betrozoff, Chandler, Cole, Fuhrman, Long, Peery, Rayburn, Rust, L. Smith, Taylor, Todd and Walker.

Voting nay: Representatives Holland and Schoon.

Absent: Representatives Appelwick, P. King and Wang.

Passed to Committee on Rules for second reading.

April 4, 1985

ESB 3205 Prime Sponsor, Senator Gaspard: Modifying the period for accumulation of leave for school employees. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Ebersole, Chair; Valle, Vice Chair; Appelwick, Betzoff, Chandler, Cole, Fuhrman, Holland, Long, Peery, Rayburn, Rust, Schoon, L. Smith, Taylor, Todd, Walker and Wang.

Absent: Representatives P. King, Taylor and Wang.

Passed to Committee on Rules for second reading.

April 4, 1985

SB 3233 Prime Sponsor, Senator Owen: Expanding the permissible uses of the institutional impact account. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 3, chapter 108, Laws of 1979 ex. sess. as amended by section 2, chapter 279, Laws of 1983 and RCW 72.72.030 are each amended to read as follows:

(1) There is hereby created, in the general fund, an institutional impact account. The secretary of social and health services may reimburse political subdivisions for criminal justice costs incurred directly as a result of crimes committed by (a) offenders residing in an institution as defined herein under the jurisdiction of the secretary of social and health services and (b) a visitor to the institution who is involved in criminal conduct with an offender or with an employee of the institution while on the premises of the institution. Such reimbursement shall be made to the extent funds are available from the general fund—institutional impact account. Reimbursements shall be limited to law enforcement, prosecutorial, judicial, and jail facilities costs which are documented to be strictly related to the criminal activities of the offender or to the criminal activities of a visitor to the institution who is involved in such activities with an offender residing in the institution or with an employee of the institution while on the premises of the institution. The secretary of social and health services shall adopt rules to carry out the provisions of this subsection.

(2) The secretary of corrections may reimburse political subdivisions for criminal justice costs incurred directly as a result of crimes committed by (a) offenders residing in an institution as defined herein under the jurisdiction of the secretary of corrections and (b) a visitor to the institution who is involved in criminal conduct with an offender or with an employee of the institution while on the premises of the institution. Such reimbursement shall be made to the extent funds are available from the general fund—institutional impact account. Reimbursements shall be limited to law enforcement, prosecutorial, judicial, and jail facilities costs which are documented to be strictly related to the criminal activities of the offender or to the criminal activities of a visitor to the institution who is involved in such activities with an offender residing in the institution or with an employee of the institution while on the premises of the institution. The secretary of corrections shall adopt rules to carry out the provisions of this subsection.

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 July 1, 1985."

On page 1, line 1 of the title, after "account;" strike the remainder of the title and insert "amending RCW 72.72.030; providing an effective date; and declaring an emergency."

Signed by Representatives Brekke, Chair; Day, Vice Chair; Armstrong, Brooks, Dellwo, Dobbs, Leonard, Lewis, Padden, Scott, Tanner and Winsley.

Voting nay: Representative Lux.

Absent: Representatives Ballard, Braddock and S. Wilson.

Passed to Committee on Rules for second reading.

April 5, 1985

ESSB 3235 Prime Sponsor, Committee on Education: Providing programs for educational excellence. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with the following amendments by Committee on Ways & Means to the amendments by Committee on Education:

Beginning on page 3, line 1 of the amendment, strike the remainder of the amendment and insert the following:

"Sec. 2. Section 14, chapter 244, Laws of 1969 ex. sess. as last amended by section 1, chapter 229, Laws of 1983 and RCW 28A.41.140 are each amended to read as follows:

The basic education allocation for each annual average full time equivalent student shall be determined in accordance with the following procedures:

The governor shall and the superintendent of public instruction may recommend to the legislature a formula based on a ratio of students to staff for the distribution of a basic education allocation for each annual average full time equivalent student enrolled in a common

school. The distribution formula shall have the primary objective of equalizing educational opportunities and shall provide appropriate recognition of the following costs among the various districts within the state:

- (1) Certificated staff and their related costs;
- (2) Classified staff and their related costs;
- (3) Nonsalary costs;
- (4) Extraordinary costs of remote and necessary schools and small high schools; and
- (5) The attendance of students pursuant to RCW 28A.58.075 and 28A.58.245, each as now or hereafter amended, who do not reside within the servicing school district.

This formula for distribution of basic education funds shall be reviewed biennially by the superintendent and governor. The recommended formula shall be subject to approval, amendment or rejection by the legislature. Commencing with the 1980-81 school year, the formula adopted by the legislature shall reflect a ratio of not less than fifty certificated personnel to one thousand annual average full time equivalent students and one classified person to three certificated personnel. In the event the legislature rejects the distribution formula recommended by the governor, without adopting a new distribution formula, the distribution formula for the previous school year shall remain in effect: PROVIDED, That the distribution formula developed pursuant to this section shall be for state apportionment and equalization purposes only and shall not be construed as mandating specific operational functions of local school districts other than those program requirements identified in RCW 28A.58.754. The enrollment of any district shall be the annual average number of full time equivalent students and part time students as provided in RCW 28A.41.145, as now or hereafter amended, enrolled on the first school day of each month. The definition of full time equivalent student shall be determined by rules and regulations of the superintendent of public instruction: PROVIDED, That the definition shall be included as part of the superintendent's biennial budget request: PROVIDED, FURTHER, That any revision of the present definition shall not take effect until approved by the house appropriations committee and the senate ways and means committee: PROVIDED, FURTHER, That the office of financial management shall make a monthly review of the superintendent's reported full time equivalent students in the common schools in conjunction with RCW 43.62.050.

Certificated staff shall include those persons employed by a school district in a teaching, instructional, educational staff associate, learning resources specialist, administrative or supervisory capacity and who hold positions as certificated employees as defined under RCW 28A.01.130, as now or hereafter amended, and every school district superintendent, and any person hired in any manner to fill a position designated as, or which is in fact, that of deputy superintendent or assistant superintendent: PROVIDED, That in exceptional cases, people of unusual competence but without certification may teach students so long as a certificated person exercises general supervision: PROVIDED, FURTHER, That the hiring of such noncertificated people shall not occur during a labor dispute and such noncertificated people shall not be hired to replace certificated employees during a labor dispute. Each annual average full time equivalent certificated classroom teacher's direct classroom contact hours shall average at least twenty-five hours per week. Direct classroom contact hours shall be exclusive of time required to be spent for preparation, conferences, or any other nonclassroom instruction duties. Up to two hundred minutes per week may be deducted from the twenty-five contact hour requirement, at the discretion of the school district board of directors, to accommodate authorized teacher/parent-guardian conferences, recess, passing time between classes, and informal instructional activity. Implementing rules to be adopted by the state board of education pursuant to RCW 28A.58.754(6) shall provide that compliance with the direct contact hour requirement shall be based upon teachers' normally assigned weekly instructional schedules, as assigned by the district administration. Additional record-keeping by classroom teachers as a means of accounting for contact hours shall not be required. However, upon request from the board of directors of any school district, the provisions relating to direct classroom contact hours for individual teachers in that district may be waived by the state board of education if the waiver is necessary to implement a locally approved plan for educational excellence and the waiver is limited to those individual teachers approved in the local plan for educational excellence. The state board of education shall develop criteria to evaluate the need for the waiver. Granting of the waiver shall depend upon verification that: (a) The students' classroom instructional time will not be reduced, and (b) the teacher's expertise is critical to the success of the local plan for excellence.

**NEW SECTION, Sec. 3.** A new section is added to chapter 28A.04 RCW to read as follows:

The state board of education may grant waivers to school districts from the provisions of RCW 28A.58.750 through 28A.58.754 on the basis that such waiver or waivers are necessary to implement successfully a local plan to provide for all students in the district an effective education system that is designed to enhance the educational program for each student. The local plan may include alternative ways to provide effective educational programs for students who experience difficulty with the regular education program.

The state board shall adopt criteria to evaluate the need for the waiver or waivers.

**NEW SECTION, Sec. 4.** A new section is added to chapter 28A.58 RCW to read as follows:

School boards may by separate contract with certificated instructional and classified staff provide supplemental compensation for additional days or additional duties as set forth in the bargaining agreement or agreements as negotiated between the district and the respective bargaining representatives, if the district does not incur obligations for the supplements beyond the current school year and if such supplements do not cause the state to incur any present or future funding obligations. Additional days for certificated instructional staff and classified staff shall be those days beyond their respective work year. Such separate contracts shall be subject to the collective bargaining provisions of chapters 41.59 and 41.56 RCW. Such supplemental compensation shall not be deemed an increase in salary or compensation for purposes of RCW 28A.58.095. Separate contracts shall be subject to the provision of RCW 28A.67.074, shall not exceed one year, and if not renewed shall not constitute adverse change in accordance with RCW 28A.58.450 through RCW 28A.58.515.

**NEW SECTION.** Sec. 5. A new section is added to chapter 28A.70 RCW to read as follows:

The state board of education shall adopt rules for approved professional preparation programs and professional certification requirements that include but are not limited to the following:

(1) Entrance requirements to professional education programs that include but are not limited to a minimum score on the Washington pre-college test, or an equivalent test, or a college grade point average requirement;

(2) After July 1, 1987, a person shall not be eligible for certification until the person has successfully completed two full academic quarters or the equivalent of internship experience under the direction of a supervisory teacher and administrator in a teacher preparation program in a local school district; and

(3) Completion of a degree major in an academic field.

**NEW SECTION.** Sec. 6. A new section is added to chapter 28A.70 RCW to read as follows:

(1) After June 30, 1985, the superintendent of public instruction shall develop or select a prototype Washington state professional certification examination for the approval and adoption by the state board of education no later than January, 1987. The examination shall measure professional teaching and pedagogical knowledge. The examination shall be administered to persons seeking initial certification after June 30, 1989, and passage of the examination shall be a condition for receipt of an initial professional certificate.

(2) The state board of education shall study subject area examinations and the use of subject area examinations as a condition for initial certification before the state board of education may require these examinations as a condition for initial certification.

(3) The board shall consult with state education associations and such other groups as the board may deem appropriate in the development of the examination program under this section.

(4) The board shall report on its activities and actions to the education committees of the house of representatives and the senate no later than December, 1986.

Sec. 7. Section 28A.04.120, chapter 223, Laws of 1969 ex. sess. as last amended by section 2, chapter 40, Laws of 1984 and RCW 28A.04.120 are each amended to read as follows:

In addition to any other powers and duties as provided by law, the state board of education shall:

(1) Approve the program of courses leading to teacher, school administrator, and school specialized personnel certification offered by all institutions of higher education within the state which may be accredited and whose graduates may become entitled to receive such certification.

(2) Investigate the character of the work required to be performed as a condition of entrance to and graduation from any institution of higher education in this state relative to such certification as provided for in subsection (1) above, and prepare a list of accredited institutions of higher education of this and other states whose graduates may be awarded such certificates.

(3) Develop, establish, and maintain a professional certification examination program as a condition for initial certification.

(4) Supervise the issuance of such certificates as provided for in subsection (1) above and specify the types and kinds of certificates necessary for the several departments of the common schools by rule or regulation in accordance with RCW 28A.70.005.

((4)) (5) Accredit, subject to such accreditation standards and procedures as may be established by the state board of education, all schools that apply for accreditation, and approve, subject to the provisions of RCW 28A.02.201, private schools carrying out a program for any or all of the grades one through twelve; PROVIDED, That no public or private schools shall be placed upon the list of accredited schools so long as secret societies are knowingly allowed to exist among its students by school officials; PROVIDED FURTHER, That the state board may elect to require all or certain classifications of the public schools to conduct and participate in such pre-accreditation examination and evaluation processes as may now or hereafter be established by the board.

((5)) (6) Make rules and regulations governing the establishment in any existing nonhigh school district of any secondary program or any new grades in grades nine through twelve.

Before any such program or any new grades are established the district must obtain prior approval of the state board.

((6)) (7) Prepare such outline of study for the common schools as the board shall deem necessary, and prescribe such rules for the general government of the common schools, as shall seek to secure regularity of attendance, prevent truancy, secure efficiency, and promote the true interest of the common schools.

((7)) (8) Prepare with the assistance of the superintendent of public instruction a uniform series of questions, with the proper answers thereto for use in the correcting thereof, to be used in the examination of persons, as this code may direct, and prescribe rules and regulations for conducting any such examinations.

((8)) (9) Continuously reevaluate courses and adopt and enforce regulations within the common schools so as to meet the educational needs of students and articulate with the institutions of higher education and unify the work of the public school system.

((9)) (10) Carry out board powers and duties relating to the organization and reorganization of school districts under chapter 28A.57 RCW.

((10)) (11) By rule or regulation promulgated upon the advice of the state fire marshal, provide for instruction of pupils in the public and private schools carrying out a K through 12 program, or any part thereof, so that in case of sudden emergency they shall be able to leave their particular school building in the shortest possible time or take such other steps as the particular emergency demands, and without confusion or panic; such rules and regulations shall be published and distributed to certificated personnel throughout the state whose duties shall include a familiarization therewith as well as the means of implementation thereof at their particular school.

((11)) (12) Hear and decide appeals as otherwise provided by law.

Sec. 8. Section 28A.70.005, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 92, Laws of 1975-76 2nd ex. sess. and RCW 28A.70.005 are each amended to read as follows:

The state board of education shall establish, publish and enforce rules and regulations determining eligibility for and certification of personnel employed in the common schools of this state, including professional examination requirements for all applicants for initial certification and certification for emergency or temporary, substitute or provisional duty and under such certificates or permits as the board shall deem proper or as otherwise prescribed by law. The superintendent of public instruction shall act as the administrator of any such rules and regulations and have the power to issue any certificates or permits and revoke the same in accordance with board rules and regulations.

NEW SECTION. Sec. 9. A new section is added to chapter 28A.70 RCW to read as follows:

Professional certificate means one of the several certificates issued by the state board of education authorizing the holder to work with children, youth, and adults in a school setting subject to fulfilling requirements established by the state board of education. Types of certificates include but are not limited to:

(1) The initial certificate which is a certificate authorizing school service in a particular role and allows the holder to assume independent responsibility for working with children, youth, and adults based on having fulfilled requirements established by the state board of education.

(2) The continuing certificate which is a certificate valid on a continuing basis and authorizes school service in a particular role based on completion of additional academic, experience, and competency requirements established by the state board of education beyond the initial certificate.

(3) An endorsement which is a notation on a professional certificate indicating an area of subject matter or a field of specialization based on completion of requirements established by the state board of education.

NEW SECTION. Sec. 10. A new section is added to chapter 28A.70 RCW to read as follows:

(1) The state board of education shall study the feasibility of requiring holders of continuing certificates to obtain endorsements. The state board of education, with the assistance of the office of the superintendent of public instruction, as well as that of the local school districts, the educational service districts, and the colleges and universities, shall review the criteria for obtaining endorsements in at least the following subjects: English, mathematics, science, and social studies, with the aim of modifying the criteria to account for and incorporate the following:

(a) Successful experience teaching in a field other than those in which endorsed, as evidenced by evaluations, student progress, documented private or self-directed learning, and other relevant factors;

(b) Credit for work done through in-service training or in settings other than those approved for a regular endorsement;

(c) Expanded use of cooperative and innovative ways of earning endorsements, including but not limited to courses offered through educational service districts, community colleges, and those making use of communications technologies; and

(d) Use of the subject area tests selected as part of the teacher competency test under section 9 of this act or other validated subject area tests to confirm a teacher's minimal competency in endorsed areas for the addition of new endorsements and the renewal of existing ones.

(2) By January, 1988, the state board of education shall complete the review and development or selection of criteria for an endorsement being obtained for both initial and continuing certification and shall report its results to the legislature.

**NEW SECTION, Sec. 11.** The state board of education shall report to the legislature in January, 1988, on its progress and recommendations in the following areas:

(1) The implementation and the impact of applying professional certification requirements including use of the Washington precollege test or college grade point average and the need for waiver of these requirements;

(2) The development or selection and establishment of a state professional certification examination; and

(3) Assessment of the feasibility, criteria, and plan for issuance of endorsements in at least the subject areas of English, science, mathematics, and social studies to holders of continuing certificates.

**NEW SECTION, Sec. 12.** If specific funding for the purposes of this act, referencing this act by bill number is not provided in the omnibus appropriations act enacted before July 1, 1985, sections 1, 6, 7, and 8 of this act shall be null and void.

Sec. 13. Section 2, chapter 149, Laws of 1979 and RCW 28A.41.402 are each amended to read as follows:

As used in ~~((this act))~~ RCW 28A.41.400 through 28A.41.410 unless the context clearly indicates otherwise:

(1) 'Basic skills' means reading, mathematics, and language arts.

(2) 'Program of remediation' ~~((shall))~~ means ~~the assistance ((in the remediation of basic skills deficiencies provided to five students or less per session))~~ provided to eligible students by a person certified pursuant to chapter 28A.70 RCW or by a person appropriately trained for that purpose acting under the direct supervision and control of a person certificated pursuant to chapter 28A.67 RCW. Such assistance shall be provided to ten eligible students or fewer per session. However, local school districts are encouraged to provide such assistance to five eligible students or fewer per session for students in grades two through six. Local school districts shall make every effort to provide such sessions in the regular classroom setting in grades two through six.

(3) 'Approved program' means a program of remediation which is designed by a public school district, or which is selected from the bank of nationally validated proven educational practices and is a diagnostic, prescriptive model in basic skills, and which is approved by the local school board and the superintendent of public instruction in accordance with the following criteria:

(a) All students participating in the program shall be ~~((educationally deprived by consequence of their being below grade level in basic skills achievement))~~ eligible as defined in RCW 28A.41.406;

(b) The program and individual student progress shall be based on performance objectives related to educational achievement and shall be annually evaluated by the district in a manner consistent with such objectives;

(c) The program shall provide supplementary services designed to meet the ~~((special educational))~~ needs of the participating students by providing a program of remediation for such participating students of sufficient size, scope, and quality to give reasonable promise of substantial progress toward meeting the needs of such students and supportive services consisting of supervision, materials and supplies and the training of administrators, teachers, aides and tutors;

(d) ~~((Not less than fifty percent of the funds expended in the program by any school district in any fiscal year shall be expended in school attendance areas having high concentrations of students from low-income families as defined in Section 122 of Public Law 95-561))~~ The superintendent of public instruction may adopt additional program standards and procedures as necessary to combine the state program for remediation in basic skills with like federal programs in order to fulfill the state's goal of providing service to students in need of remediation; and

(e) The school district shall keep individual records of student progress and other such records and provide reasonable access thereto by parents and by the superintendent of public instruction as is necessary to assure compliance with the ((foregoing approval criteria)) provisions set forth in RCW 28A.41.400 through 28A.41.410.

(4) 'Basic skills tests' means tests established pursuant to RCW 28A.03.360, as now or hereafter amended.

(5) 'Placement testing' means the administration of standardized objective ((tests)) measurements by a school district for the purpose of diagnosing the basic skills achievement levels and remediation needs of individual students in conformance with instructions established by the superintendent of public instruction established for such purpose.

(6) 'Standardized objective measurement' means a written or oral testing instrument that can be applied uniformly and consistently to determine in a comparable manner the educational achievement level of children.

Sec. 14. Section 3, chapter 149, Laws of 1979 and RCW 28A.41.404 are each amended to read as follows:

~~(Each school district which has established an approved program))~~ Each school district in which students are enrolled who are eligible for remediation services under RCW 28A.41.406 shall establish an approved program. Each school district shall submit annually an application to the office of the superintendent of public instruction for program approval. Local school districts are encouraged to save time and effort by implementing those nationally validated programs identified in RCW 28A.41.402(3). Upon approval of the program, each school district shall be eligible ~~((as determined by the superintendent of public instruction;))~~ for state funds made available for the purposes of such program ~~((s)).~~ The ~~((number of students eligible to participate in such program in each school district))~~ allocation of state funds for each school district shall be calculated by the superintendent of public instruction ~~((through the use of data derived from the basic skills test. In making such calculations the superintendent of public instruction shall multiply the percentage of students taking the tests which scored in the lowest quartile, as compared to national norms, by the number of students enrolled in the district in grades two through six))~~ as follows:

The number of students enrolled in grades two through six in the district multiplied by the percentage of students taking the fourth grade basic skills test in the previous year who scored in the lowest quartile as compared to national norms, and then reduced to the extent that the number of students ages seven through eleven in the district who are identified as specific learning disabled and served through programs established pursuant to chapter 28A.13 RCW exceeds four percent of the district enrollment in grades two through six: PROVIDED, That in making this calculation the superintendent of public instruction may use an average of the percentages of the students scoring in the lowest quartile over the immediately preceding five or fewer years.

NEW SECTION. Sec. 15. The legislature finds that the program provided under RCW 28A.41.400 through 28A.41.410 is not part of the basic program of education which the state is required to fund under Article IX of the Washington state Constitution.

NEW SECTION. Sec. 16. Section 8, chapter 149, Laws of 1979 and RCW 28A.41.414 are each repealed.

NEW SECTION. Sec. 17. 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. 18. The legislature finds that sections 1 through 11 of this 1985 act are not part of the basic program of education which the state is required to fund under Article IX of the Washington state Constitution."

On page 1, line 1 of the title, after "excellence;" strike the remainder of the title and insert "amending RCW 28A.41.140, 28A.04.120, 28A.70.005, 28A.41.402, and 28A.41.404; adding a new section to chapter 28A.04 RCW; adding a new section to chapter 28A.58 RCW; adding a new section to chapter 28A.67 RCW; adding new sections to chapter 28A.70 RCW; creating new sections; and repealing RCW 28A.41.414."

Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Brekke, Bristow, Hastings, Hine, Holland, J. King, Locke, Long, Madsen, G. Nelson, Niemi, Rust, Sanders, Sayan, Silver, L. Smith, Smitherman, Sommers, Taylor, Tilly, Vander Stoep and B. Williams.

Absent: Representative B. Williams.

Passed to Committee on Rules for second reading.

April 5, 1985

SSB 3252 Prime Sponsor, Committee on Judiciary: Revising procedures for family conciliation courts. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendment:

On page 2, beginning on line 5 strike all of subsection (1) and renumber the remaining subsections consecutively.

Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, Locke, Padden, Schmidt, Schoon, Tilly and Van Luvan.

Absent: Representatives P. King, Niemi and Wang.

Passed to Committee on Rules for second reading.

April 4, 1985

ESSB 3262

Prime Sponsor, Committee on Human Services & Corrections: Changing provisions relating to nursing home licensing. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

\*NEW SECTION, Sec. 1. A new section is added to chapter 18.51 RCW to read as follows:

The department may deny a license to any applicant who has a history of significant non-compliance with federal or state regulations in providing nursing home care. In deciding whether to deny a license under this section, the factors the department considers shall include the gravity and frequency of the noncompliance.

Sec. 2. Section 38, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.380 are each amended to read as follows:

(1) The facility shall have a director of nursing services. The director of nursing services shall be a registered nurse.

(2) The director of nursing services is responsible for:

(a) Coordinating the plan of care for each resident;

(b) Permitting only licensed personnel to administer medications: PROVIDED, That nothing herein shall be construed as prohibiting graduate nurses, and student nurses under the supervision of their clinical instructor, from administering medications when permitted to do so under chapter 18.88 RCW and rules promulgated pursuant thereto: PROVIDED FURTHER, That nothing herein shall be construed as prohibiting persons certified under chapter 18.135 RCW from practicing pursuant to the delegation and supervision requirements of chapter 18.135 RCW and rules promulgated pursuant thereto; and

(c) Insuring that the licensed practical nurses comply with chapter 18.78 RCW ((and)), the registered nurses comply with chapter 18.88 RCW, and persons certified under chapter 18.135 RCW comply with the provisions of that chapter and rules promulgated pursuant thereto.

NEW SECTION, Sec. 3. A new section is added to chapter 74.42 RCW to read as follows:

(1) The purpose of this section is to prohibit discrimination against medicaid recipients by nursing homes which have contracted with the department to provide skilled or intermediate nursing care services to medicaid recipients.

(2) It shall be unlawful for any nursing home which has a medicaid contract with the department:

(a) To require, as a condition of admission, assurance from the patient or any other person that the patient is not eligible for or will not apply for medicaid;

(b) To deny or delay admission or readmission of a person to a nursing home because of his or her status as a medicaid recipient;

(c) To transfer a patient, except from a private room to another room within the nursing home, because of his or her status as a medicaid recipient;

(d) To transfer a patient to another nursing home because of his or her status as a medicaid recipient;

(e) To discharge a patient from a nursing home because of his or her status as a medicaid recipient; or

(f) To charge any amounts in excess of the medicaid rate from the date of eligibility, except for any supplementation permitted by the department pursuant to RCW 18.51.070.

(3) Any nursing home which has a medicaid contract with the department shall maintain one list of names of persons seeking admission to the facility, which is ordered by the date of request for admission. This information shall be retained for one year from the month admission was requested.

(4) The department may assess monetary penalties of a civil nature, not to exceed one thousand dollars for each violation of this section.

(5) Because it is a matter of great public importance to protect senior citizens who need medicaid services from discriminatory treatment in obtaining long-term health care, any violation of this section shall be construed for purposes of the application of the consumer protection act, chapter 19.86 RCW, to constitute an unfair or deceptive act or practice or unfair method of competition in the conduct of trade or commerce.

(6) It is not an act of discrimination under this chapter to refuse to admit a patient if admitting that patient would prevent the needs of the other patients residing in that facility from being met at that facility.

Sec. 4. Section 6, chapter 117, Laws of 1951 as last amended by section 2, chapter 11, Laws of 1981 2nd ex. sess. and RCW 18.51.050 are each amended to read as follows:

Upon receipt of an application for license, the department shall issue a license if the applicant and the nursing home facilities meet the requirements established under this chapter. Prior to the issuance or renewal of the license, the licensee shall pay a license fee as established by the department. No fee shall be required of government operated institutions. All licenses issued under the provisions of this chapter shall expire on a date to be set by the department, but no license issued pursuant to this chapter shall exceed thirty-six months in



duration. When a change of ownership occurs, the entity becoming the licensed operating entity of the facility shall pay a fee established by the department at the time of application for the license. The previously determined date of license expiration shall not change.

All applications and fees for renewal of the license (~~(and for change of ownership licenses)~~) shall be submitted to the department not later than thirty days prior to the date of expiration of the license (~~(or the date of the proposed change of ownership)~~). All applications and fees for change of ownership licenses shall be submitted to the department not later than sixty days before the date of the proposed change of ownership. Each license shall be issued only to the operating entity and those persons named in the license application. The license is valid only for the operation of the facility at the location specified in the license application. Licenses are not transferable or assignable. Licenses shall be posted in a conspicuous place on the licensed premises.

Sec. 5. Section 2, chapter 114, Laws of 1979 and RCW 18.52A.020 are each amended to read as follows:

Unless the context requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Nursing assistant' means a person who, under the direction and supervision of a registered nurse or licensed practical nurse, assists in the care of patients(;;) in a facility licensed under chapter 18.51 RCW, ((under the direction and supervision of a registered nurse or licensed practical nurse)) a wing of a hospital licensed under chapter 70.41 RCW if the wing is certified to provide nursing home care under Title XVIII or Title XIX of the social security act, or any nursing care facility operated under the direction of the department of veterans affairs.

(2) 'Department' means the department of social and health services.

(3) 'Nursing home' means a facility licensed under chapter 18.51 RCW, a wing of a hospital licensed under chapter 70.41 RCW if the wing is certified to provide nursing home care under Title XVIII or Title XIX of the social security act, or any nursing care facility operated under the direction of the department of veterans affairs.

(4) 'Board' means the state board of nursing.

Sec. 6. Section 3, chapter 114, Laws of 1979 and RCW 18.52A.030 are each amended to read as follows:

(1) Any nursing assistant employed by a nursing home, who has satisfactorily completed a nursing assistant training program under this chapter, shall, upon application, be issued a certificate of completion.

(2) ~~((After June 30, 1986:))~~ All nursing assistants employed by a nursing home shall be required to show evidence of satisfactory completion of a nursing assistant training program, or that they are enrolled in and are progressing satisfactorily towards completion of a training program under standards promulgated by the board, which program must be completed within six months of employment. A nursing home may employ a person not currently enrolled if the employer within twenty days enrolls the person in an approved training program. All persons enrolled in a training program must satisfactorily complete the program within six months from the date of initial employment.

(3) All nursing assistants who, on June 7, 1979, are employed in nursing homes shall be given the opportunity to obtain a certificate of completion by passing a written and/or practical examination developed by the board and conducted by a school or nursing home, or by providing evidence of sufficient practical experience. The board shall adopt rules specifying the amount of practical experience to be required for the issuance of a certificate under this section.

(4) Compliance with this section shall be a condition of licensure of nursing homes under chapter 18.51 RCW. Beginning January 1, 1986, compliance with this section shall be a condition of licensure of hospitals licensed under chapter 70.41 RCW with a wing certified to provide nursing home care under Title XVIII or Title XIX of the social security act. Any health provider of skilled nursing facility care or intermediate care facility care shall meet the requirements of this section.

Signed by Representatives Brekke, Chair; Day, Vice Chair; Ballard, Brooks, Dellwo, Dobbs, Leonard, Lewis, Lux, Padden, Scott, Tanner, West and Winsley.

Absent: Representatives Armstrong, Braddock and S. Wilson.

Passed to Committee on Rules for second reading.

April 5, 1985

ESB 3273

Prime Sponsor, Senator Goltz: Modifying terms and procedures for the delivery of mutual aid services between law enforcement agencies.  
Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

\*NEW SECTION, Sec. 1. (1) This chapter may be known and cited as the Washington mutual aid peace officer powers act of 1985.

(2) It is the intent of the legislature that current artificial barriers to mutual aid and cooperative enforcement of the laws among general authority local, state, and federal agencies be modified pursuant to this chapter.

(3) This chapter shall be liberally construed to effectuate the intent of the legislature to modify current restrictions upon the limited territorial and enforcement authority of general authority peace officers and to effectuate mutual aid among agencies.

(4) The modification of territorial and enforcement authority of the various categories of peace officers covered by this chapter shall not create a duty to act in extraterritorial situations beyond any duty which may otherwise be imposed by law or which may be imposed by the primary commissioning agency.

**NEW SECTION.** Sec. 2. As used in this chapter, the following terms have the meanings indicated unless the context clearly requires otherwise.

(1) 'General authority Washington law enforcement agency' means any agency, department, or division of a municipal corporation, political subdivision, or other unit of local government of this state, and any agency, department, or division of state government, having as its primary function the detection and apprehension of persons committing infractions or violating the traffic or criminal laws in general, as distinguished from a limited authority Washington law enforcement agency, and any other unit of government expressly designated by statute as a general authority Washington law enforcement agency. The Washington state patrol is a general authority Washington law enforcement agency.

(2) 'Limited authority Washington law enforcement agency' means any agency, political subdivision, or unit of local government of this state, and any agency, department, or division of state government, having as one of its functions the apprehension or detection of persons committing infractions or violating the traffic or criminal laws relating to limited subject areas, including but not limited to, the state departments of natural resources, fisheries, game, and social and health services, the state gambling commission, the state lottery commission, the state utilities and transportation commission, the state liquor control board, and the state department of corrections. 'Limited authority Washington law enforcement agency' does not include any agency such as the state parks and recreation commission whose primary function is to provide recreational services and whose only law enforcement function is incidental to the provision of those services.

(3) 'General authority Washington peace officer' means any full-time, fully compensated and elected, appointed, or employed officer of a general authority Washington law enforcement agency who is commissioned to enforce the criminal laws of the state of Washington generally.

(4) 'Limited authority Washington peace officer' means any full-time, fully compensated officer of a limited authority Washington law enforcement agency empowered by that agency to detect or apprehend violators of the laws in some or all of the limited subject areas for which that agency is responsible. A limited authority Washington peace officer may be a specially commissioned Washington peace officer if otherwise qualified for such status under this chapter.

(5) 'Specially commissioned Washington peace officer', for the purposes of this act, means any officer, whether part-time or full-time, compensated or not, commissioned by a general authority Washington law enforcement agency to enforce some or all of the criminal laws of the state of Washington, who does not qualify under this chapter as a general authority Washington peace officer for that commissioning agency, specifically including reserve peace officers, and specially commissioned full-time, fully compensated peace officers duly commissioned by the states of Oregon or Idaho or any such peace officer commissioned by a unit of local government of Oregon or Idaho. A reserve peace officer is an individual who is an officer of a Washington law enforcement agency who does not serve such agency on a full-time basis but who, when called by the agency into active service, is fully commissioned on the same basis as full-time peace officers to enforce the criminal laws of the state.

(6) 'Federal peace officer' means any employee or agent of the United States government who has the authority to carry firearms and make warrantless arrests and whose duties involve the enforcement of criminal laws of the United States.

(7) 'Agency with primary territorial jurisdiction' means a city or town police agency which has responsibility for police activity within its boundaries; or a county police or sheriff's department which has responsibility with regard to police activity in the unincorporated areas within the county boundaries; or a statutorily authorized port district police agency or four-year state college or university police agency which has responsibility for police activity within the statutorily authorized enforcement boundaries of the port district, state college, or university.

(8) 'Primary commissioning agency' means (a) the employing agency in the case of a general authority Washington peace officer, a limited authority Washington peace officer, an Indian tribal peace officer, or a federal peace officer, and (b) the commissioning agency in the case of a specially commissioned Washington peace officer (i) who is performing functions within the course and scope of the special commission and (ii) who is not also a general

authority Washington peace officer, a limited authority Washington peace officer, an Indian tribal peace officer, or a federal peace officer.

(9) 'Primary function of an agency' means that function to which greater than fifty percent of the agency's resources are allocated.

(10) 'Mutual law enforcement assistance' includes, but is not limited to, one or more law enforcement agencies aiding or assisting one or more other such agencies through loans or exchanges of personnel or of material resources, for law enforcement purposes.

NEW SECTION, Sec. 3. The circumstances surrounding any actual exercise of peace officer authority under this chapter shall be timely reported, after the fact, to the Washington law enforcement agency with primary territorial jurisdiction and shall be subject to any reasonable reporting procedure which may be established by such agency.

NEW SECTION, Sec. 4. Any liability or claim of liability which arises out of the exercise or alleged exercise of authority by an officer acting within the course and scope of the officer's duties as a peace officer under this chapter is the responsibility of the primary commissioning agency unless the officer acts under the direction and control of another agency or unless the liability is otherwise allocated under a written agreement between the primary commissioning agency and another agency.

NEW SECTION, Sec. 5. All persons exercising peace officer powers under this chapter are subject to supervisory control of and limitations imposed by the primary commissioning agency, but the primary commissioning agency may, by agreement with another agency, temporarily delegate supervision over the peace officer to another agency.

NEW SECTION, Sec. 6. All of the privileges and immunities from liability, exemption from laws, ordinances, and rules, all pension, relief, disability, worker's compensation insurance, and other benefits which apply to the activity of officers, agents, or employees of any law enforcement agency when performing their respective functions within the territorial limits of their respective agencies shall apply to them and to their primary commissioning agencies to the same degree and extent while such persons are engaged in the performance of authorized functions and duties under this chapter.

NEW SECTION, Sec. 7. In addition to any other powers vested by law, a general authority Washington peace officer who possesses a certificate of basic law enforcement training or a certificate of equivalency or has been exempted from the requirement thereof by the Washington state criminal justice training commission may enforce the traffic or criminal laws of this state throughout the territorial bounds of this state, under the following enumerated circumstances:

- (1) Upon the prior written consent of the sheriff or chief of police in whose primary territorial jurisdiction the exercise of the powers occurs;
- (2) In response to an emergency involving an immediate threat to human life or property;
- (3) In response to a request for assistance pursuant to a mutual law enforcement assistance agreement with the agency of primary territorial jurisdiction or in response to the request of a peace officer with enforcement authority;
- (4) When the officer is transporting a prisoner;
- (5) When the officer is executing an arrest warrant or search warrant; or
- (6) When the officer is in fresh pursuit, as defined in section 12 of this act.

NEW SECTION, Sec. 8. A limited authority Washington peace officer shall have no additional powers by virtue of this chapter but shall be limited to those powers already vested by law or hereafter created by separate enactment.

NEW SECTION, Sec. 9. A specially commissioned Washington peace officer who has successfully completed a course of basic training prescribed or approved for such officers by the Washington state criminal justice training commission may exercise any authority which the special commission vests in the officer, throughout the territorial bounds of the state, outside of the officer's primary territorial jurisdiction under the following circumstances:

- (1) The officer is in fresh pursuit, as defined in section 12 of this act; or
- (2) The officer is acting pursuant to mutual law enforcement assistance agreement between the primary commissioning agency and the agency with primary territorial jurisdiction.

NEW SECTION, Sec. 10. Federal peace officers shall have no additional powers by virtue of this chapter but shall be limited to those powers already vested by law or hereafter created by separate enactment.

NEW SECTION, Sec. 11. The attorney general shall have no additional powers by virtue of this chapter but shall be limited to those powers already vested by law or hereafter created by separate enactment.

NEW SECTION, Sec. 12. (1) Any peace officer who has authority under Washington law to make an arrest may proceed in fresh pursuit of a person (a) who is reasonably believed to have committed a violation of traffic or criminal laws, or (b) for whom such officer holds a warrant of arrest, and such peace officer shall have the authority to arrest and to hold such person in custody anywhere in the state.

(2) The term 'fresh pursuit,' as used in this chapter, includes, without limitation, fresh pursuit as defined by the common law. Fresh pursuit does not necessarily imply immediate pursuit, but pursuit without unreasonable delay.

NEW SECTION. Sec. 13. Under the interlocal cooperation act, chapter 39.34 RCW, any law enforcement agency referred to by this chapter may contract with any other such agency and may also contract with any law enforcement agency of another state, or such state's political subdivision, to provide mutual law enforcement assistance. The agency with primary territorial jurisdiction may require that officers from participating agencies meet reasonable training or certification standards or other reasonable standards.

NEW SECTION. Sec. 14. This chapter does not limit the scope of jurisdiction and authority of the Washington state patrol as otherwise provided by law, and the Washington state patrol shall not be bound by the reporting requirements of section 3 of this act.

NEW SECTION. Sec. 15. In order to further the intent of sections 1 through 14 of this act, the Washington association of sheriffs and police chiefs is hereby directed to develop a state-wide plan for the delivery of law enforcement mutual aid services and present such a plan to the legislature by January 1, 1986.

Sec. 16. Section 9A.16.010, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.16.010 are each amended to read as follows:

In this chapter, unless a different meaning is plainly required:

(1) 'Necessary' means that no reasonably effective alternative to the use of force ~~((appeared))~~ appears to exist and that the amount of force used ~~((was))~~ is reasonable to effect the lawful purpose intended.

(2) (a) 'Dangerous felony' means any felony or equivalent juvenile offense under the laws of this state or any other state or federal jurisdiction which is specified in (b) of this subsection or involves:

(i) The use or attempted use of force causing death or grievous physical injury to another;  
or

(ii) The use or attempted use of force creating a substantial risk of death or grievous physical injury to another; or

(iii) A threat, express or implied, which places a person in fear of death or grievous physical injury to himself or herself or another or in fear that he or she or another person will be kidnapped.

(b) The following felonies are dangerous felonies: Any murder, manslaughter in the first degree, manslaughter in the second degree, rape in the first degree, rape in the second degree, any robbery, assault in the first degree, assault in the second degree, any kidnapping, any arson, and any burglary in which the actor or another participant in the burglary is armed with a deadly weapon or assaults any person therein.

(3) 'Deadly force' means the intentional application of force through the use of firearms or any other means reasonably likely to cause death or grievous physical injury.

Sec. 17. Section 9A.16.040, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.16.040 are each amended to read as follows:

(1) Homicide or the use of deadly force is justifiable ((when committed by a public officer, or person acting under his command and in his aid;)) in the following cases:

((1+)) (a) When a public officer is acting in obedience to the judgment of a competent court((:)); or

((2)) (b) When used by a police officer and the homicide or deadly force is necessary to overcome actual resistance to the execution of the legal process, mandate, or order of a court or officer, or in the discharge of a legal duty.

((3) When necessary in retaking an escaped or rescued prisoner who has been committed, arrested for, or convicted of a felony; or in arresting a person who has committed a felony and is fleeing from justice; or in attempting, by lawful ways or means, to apprehend a person for a felony actually committed; or in lawfully suppressing a riot or preserving the peace;)) (c) When used by a peace officer or person acting under the officer's command and in the officer's aid and the homicide or deadly force is necessary:

(i) To arrest or apprehend a person who the officer reasonably believes has committed, has attempted to commit, is committing, or is attempting to commit a dangerous felony;

(ii) To prevent the escape of a person from a federal or state correctional facility or in retaking a person who escapes from such a facility; or

(iii) To prevent the escape of a person from a county or city jail or holding facility if the person has been arrested for, charged with, or convicted of a dangerous felony; or

(iv) To lawfully suppress a riot if the actor or another participant is armed with a deadly weapon.

(2) A public officer or peace officer shall not be held criminally liable for using deadly force without malice and with a good faith belief that such act is justifiable pursuant to this section.

NEW SECTION. Sec. 18. Section 75, page 114, Laws of 1854, section 211, page 229, Laws of 1873, section 1031, Code of 1881 and RCW 10.31.050 are each repealed.

NEW SECTION. Sec. 19. Sections 1 through 14 of this act shall constitute a new chapter in Title 10 RCW.

NEW SECTION. Sec. 20. This act shall take effect July 1, 1985."

On page 1, line 1 of the title, after "enforcement;" strike the remainder of the title and insert "amending RCW 9A.16.010 and 9A.16.040; adding a new chapter to Title 10 RCW; creating a new section; repealing RCW 10.31.050; and providing an effective date."

Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, P. King, Lewis, G. Nelson, Niemi, Schoon, Tilly, Van Luven and West.

MINORITY recommendation: Do not pass. Signed by Representatives Padden and Schmidt.

Absent: Representatives Van Luven and Wang.

Passed to Committee on Rules for second reading.

April 4, 1985

SSB 3279 Prime Sponsor, Committee on Education: Establishing requirements for home schooling. Reported by Committee on Education

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 2, chapter 10, Laws of 1972 ex. sess. as last amended by section 1, chapter 59, Laws of 1980 and RCW 28A.27.010 are each amended to read as follows:

(1) All parents(~~(-guardians and the persons)~~) in this state (~~(having custody)~~) of any child eight years of age and under (~~(fifteen)~~) eighteen years of age shall cause such child to attend the public school of the district in which the child resides for the full time when such school may be in session (~~(or to attend a)~~) unless:

(a) The child is attending an approved private school for the same time ((unless)) or is enrolled in an extension program as provided in RCW 28A.02.201(4);

(b) The child is receiving home-based instruction as provided in subsection (4) of this section; or

(c) The school district superintendent of the district in which the child resides shall have excused such child from attendance because the child is physically or mentally unable to attend school, is attending a residential school operated by the department of social and health services, or has been temporarily excused upon the request of his or her parents(;-guardians, or persons in this state having custody of any such child;-) for purposes agreed upon by the school authorities and the parent(;-guardian or custodian;-); PROVIDED, That such excused absences shall not be permitted if deemed to cause a serious adverse effect upon the student's educational progress: PROVIDED FURTHER, That students excused for such temporary absences may be claimed as full time equivalent students to the extent they would otherwise have been so claimed for the purposes of RCW 28A.41.130 and 28A.41.140, as now or hereafter amended, and shall not affect school district compliance with the provisions of RCW 28A.58.754, as now or hereafter amended(;-

All parents, guardians and other persons in this state having custody of any child fifteen years of age and under eighteen years of age shall cause such child to attend the public school of the district in which the child resides for the full time when such school may be in session or to attend a private school for the same time excepting when);

(d) The child is fifteen years of age or older and:

(i) The school district superintendent determines that such child ((is physically or mentally unable to attend school or)) has already attained a reasonable proficiency in the branches required by law to be taught in the first nine grades of the public schools of this state(;-or the child has been temporarily excused in accordance with this section;-);

(ii) The child is regularly and lawfully engaged in a useful or remunerative occupation(;- or the child is attending a residential school operated by the department of social and health services;-);

(iii) The child has already met graduation requirements in accordance with state board of education rules and regulations(;-); or

(iv) The child has received a certificate of educational competence under rules and regulations established by the state board of education under RCW 28A.04.135.

(2) A parent for the purpose of this chapter means a parent, guardian, or person having legal custody of a child.

(3) An approved private ((and/or parochial)) school for the purposes of this ((section)) chapter shall be one approved under regulations established by the state board of education pursuant to RCW 28A.04.120 as now or hereafter amended.

(4) For the purposes of this chapter, instruction shall be home-based if it consists of planned and supervised instructional and related educational activities, including a curriculum and instruction in the basic skills of occupational education, science, mathematics, language, social

studies, history, health, reading, writing, spelling, and the development of an appreciation of art and music, provided for a number of hours equivalent to the total annual program hours per grade level established for approved private schools under RCW 28A.02.201 and 28A.02-240 and if such activities are:

(a) Provided by a parent who is instructing his or her child only and are supervised by a certificated person. A certificated person for purposes of this chapter shall be a person certified under chapter 28A.70 RCW. For purposes of this section, 'supervised by a certificated person' means: The planning by the certificated person and the parent of objectives consistent with this subsection; a minimum each month of an average of one contact hour per week with the child being supervised by the certificated person; and evaluation of such child's progress by the certificated person. The number of children supervised by the certificated person shall not exceed thirty for purposes of this subsection; or

(b) Provided by a parent who is instructing his or her child only and who has either earned forty-five college level quarter credit hours or its equivalent in semester hours or has completed a course in home-based instruction at a postsecondary institution or a vocational-technical institute; or

(c) Provided by a parent who is deemed sufficiently qualified to provide home-based instruction by the superintendent of the local school district in which the child resides.

(5) The legislature recognizes that home-based instruction is less structured and more experiential than the instruction normally provided in a classroom setting. Therefore, the provisions of subsection (4) of this section relating to the nature and quantity of instructional and related educational activities shall be liberally construed.

NEW SECTION. Sec. 2. A new section is added to chapter 28A.27 RCW to read as follows:

Each parent whose child is receiving home-based instruction under RCW 28A.27.010(4) shall have the duty to:

(1) File annually a signed declaration of intent that he or she is planning to cause his or her child to receive home-based instruction. The statement shall include the name and age of the child, shall specify whether a certificated person will be supervising the instruction, and shall be written in a format prescribed by the superintendent of public instruction. Each parent shall file the statement by September 15 of the school year or within two weeks of the beginning of any public school quarter, trimester, or semester with the superintendent of the public school district within which the parent resides;

(2) Ensure that test scores or annual academic progress assessments and immunization records, together with any other records that are kept relating to the instructional and educational activities provided, are forwarded to any other public or private school to which the child transfers. At the time of a transfer to a public school, the superintendent of the local school district in which the child enrolls may require a standardized achievement test to be administered and shall have the authority to determine the appropriate grade and course level placement of the child after consultation with parents and review of the child's records; and

(3) Ensure that a standardized achievement test approved by the state board of education is administered annually to the child by a qualified individual or that an annual assessment of the student's academic progress is written by a certificated person who is currently working in the field of education. The standardized test administered or the annual academic progress assessment written shall be made a part of the child's permanent records. If, as a result of the annual test or assessment, it is determined that the child is not making reasonable progress consistent with his or her age or stage of development, the parent shall make a good faith effort to remedy any deficiency.

Failure of a parent to comply with the duties in this section shall be deemed a failure of such parent's child to attend school without valid justification under RCW 28A.27.020. Parents who do comply with the duties set forth in this section shall be presumed to be providing home-based instruction as set forth in RCW 28A.27.010(4).

NEW SECTION. Sec. 3. A new section is added to chapter 28A.27 RCW to read as follows:

The state hereby recognizes that parents who are causing their children to receive home-based instruction under RCW 28A.27.010(4) shall be subject only to those minimum state laws and regulations which are necessary to insure that a sufficient basic educational opportunity is provided to the children receiving such instruction. Therefore, all decisions relating to philosophy or doctrine, selection of books, teaching materials and curriculum, and methods, timing, and place in the provision or evaluation of home-based instruction shall be the responsibility of the parent except for matters specifically referred to in this chapter.

Sec. 4. Section 2, chapter 92, Laws of 1974 ex. sess. as last amended by section 1, chapter 56, Laws of 1983 and RCW 28A.02.201 are each amended to read as follows:

The legislature hereby recognizes that private schools should be subject only to those minimum state controls necessary to insure the health and safety of all the students in the state and to insure a sufficient basic education to meet usual graduation requirements. The state, any agency or official thereof, shall not restrict or dictate any specific educational or other programs for private schools except as hereinafter in this section provided.

Principals of private schools or superintendents of private school districts shall file each year with the state superintendent of public instruction a statement certifying that the minimum

requirements hereinafter set forth are being met, noting any deviations. After review of the statement, the state superintendent will notify schools or school districts of those deviations which must be corrected. In case of major deviations, the school or school district may request and the state board of education may grant provisional status for one year in order that the school or school district may take action to meet the requirements. Minimum requirements shall be as follows:

(1) The minimum school year shall be the same as that required of public schools in RCW 28A.01.025 as now or hereafter amended.

(2) The length of the school day shall be the same as that required of public schools in RCW 28A.01.010 and 28A.58.754, each as now or hereafter amended, except that the percentages of total program hour offerings as prescribed in RCW 28A.58.754 for basic skills, work skills, and optional subjects and activities shall not apply to private schools or private sectarian schools.

(3) All classroom teachers shall hold appropriate Washington state certification except as follows:

(a) Teachers for religious courses or courses for which no counterpart exists in public schools shall not be required to obtain a state certificate to teach those courses.

(b) In exceptional cases, people of unusual competence but without certification may teach students so long as a certified person exercises general supervision. Annual written statements shall be submitted to the office of the superintendent of public instruction reporting and explaining such circumstances.

(4) An approved private school may operate an extension program for parents, guardians, or persons having legal custody of a child to teach children in their custody. The extension program shall require at a minimum that:

(a) The parent, guardian, or custodian be under the supervision of an employee of the approved private school who is certified under chapter 28A.70 RCW;

(b) The planning by the certified person and the parent, guardian, or person having legal custody include objectives consistent with this subsection and subsections (1), (2), (5), (6), and (7) of this section;

(c) The certified person spend a minimum average each month of one contact hour per week with each student under his or her supervision who is enrolled in the approved private school extension program;

(d) Each student's progress be evaluated by the certified person; and

(e) The certified employee shall not supervise more than thirty students enrolled in the approved private school's extension program.

(5) Appropriate measures shall be taken to safeguard all permanent records against loss or damage.

~~((6))~~ (6) The physical facilities of the school or district shall be adequate to meet the program offered by the school or district: PROVIDED, That each school building shall meet reasonable health and fire safety requirements. A residential dwelling of the parent, guardian, or custodian shall be deemed to be an adequate physical facility when a parent, guardian, or person having legal custody is instructing his or her child under subsection (4) of this section.

~~((7))~~ (7) Private school curriculum shall include instruction of the basic skills of occupational education, science, mathematics, language, social studies, history, health, reading, writing, spelling, and the development of appreciation of art and music, all in sufficient units for meeting state board of education graduation requirements.

~~((8))~~ (8) Each school or school district shall be required to maintain up-to-date policy statements related to the administration and operation of the school or school district.

All decisions of policy, philosophy, selection of books, teaching material, curriculum, except as in subsection ~~((7))~~ (7) above provided, school rules and administration, or other matters not specifically referred to in this section, shall be the responsibility of the administration and administrators of the particular private school involved.

Sec. 5. Section 4, chapter 217, Laws of 1969 ex. sess. as last amended by section 8, chapter 359, Laws of 1977 ex. sess. and RCW 28A.41.145 are each amended to read as follows:

(1) For purposes of this section, the following definitions shall apply:

(a) 'Private school student' shall mean any student enrolled full time in a private ~~((or private sectarian))~~ school;

(b) 'School' shall mean any primary, secondary or vocational school;

(c) 'School funding authority' shall mean any nonfederal governmental authority which provides moneys to common schools;

(d) 'Part time student' shall mean and include: Any student enrolled in a course of instruction in a private ~~((or private sectarian))~~ school and taking courses at and/or receiving ancillary services offered by any public school not available in such private ~~((or private sectarian))~~ school ~~((district and));~~ or any student who is not enrolled in a private school and is receiving home-based instruction under RCW 28A.27.010 which instruction includes taking courses at or receiving ancillary services from the local school district or both; or any student involved in any work training program and taking courses in any public school, which work training program is approved by the school board of the district in which such school is located.

(2) The board of directors of any school district is authorized and, in the same manner as for other public school students, shall permit the enrollment of and provide ancillary services for part time students (~~(-including (a) the part time enrollment of students involved in any work training program and desirous of taking courses within the district upon the school board's approval of any such work training program and (b) the part time enrollment of any private school student in any school within the district for the purpose of attending a class or classes or a course of instruction if the class, classes, or course of instruction for which the private school student requests enrollment, are unavailable to the student in the private school in which the student is regularly enrolled)~~); PROVIDED, That this section shall only apply to part time students who would be otherwise eligible for full time enrollment in the school district.

(3) The superintendent of public instruction shall recognize the costs to each school district occasioned by enrollment of and/or ancillary services provided for part time students authorized by subsection (2) of this section and shall include such costs in the distribution of funds to school districts pursuant to RCW 28A.41.140. Each school district shall be reimbursed for the costs or a portion thereof, occasioned by attendance of and/or ancillary services provided for part time students on a part time basis, by the superintendent of public instruction, according to law.

(4) Each school funding authority shall recognize the costs occasioned to each school district by enrollment of and ancillary services provided for part time students authorized by subsection (2) of this section, and shall include said costs in funding the activities of said school districts.

(5) The superintendent of public instruction is authorized to adopt rules and regulations to carry out the purposes of RCW 28A.41.140 and 28A.41.145.

NEW SECTION, Sec. 6. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

Signed by Representatives Ebersole, Chair; Valle, Vice Chair; Betzoff, Chandler, Holland, P. King, Long, Rust, Schoon, Taylor, Todd and Walker.

MINORITY recommendation: Do not pass. Signed by Representatives Cole, Fuhrman, Rayburn, L. Smith and Wang.

Absent: Representative P. King.

Passed to Committee on Rules for second reading.

April 5, 1985

SSB 3283 Prime Sponsor, Committee on Parks & Ecology: Establishing procedures for declaring and preserving historic properties. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

\*NEW SECTION, Sec. 1. The legislature finds and declares that it is in the public interest of the people of the state of Washington to encourage maintenance, improvement, and preservation of privately owned historic landmarks as the state approaches its Centennial year of 1989. To achieve this purpose, this chapter provides special valuation for improvements to historic property.

NEW SECTION, Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Historic property' means real property together with improvements thereon, except property listed in a register primarily for objects buried below ground, which is:

(a) Listed in a local register of historic places created by comprehensive ordinance, certified by the secretary of the interior as provided in P.L. 96-515; or

(b) Listed in the national register of historic places.

(2) 'Substantial improvement' means the actual cost of rehabilitation which is twenty-five percent or greater of the assessed valuation of the historic structure prior to rehabilitation.

(3) 'Special valuation' means the determination of the assessed value of the historic property at a rate that excludes, for up to ten years, the actual cost of a substantial improvement.

(4) 'State review board' means the advisory council on historic preservation established under chapter 27.34 RCW, or any successor agency designated by the state to act as the state historic preservation review board under federal law.

(5) 'Local review board' means a local body designated by the local legislative authority.

(6) 'Owner' means the owner of record.

NEW SECTION, Sec. 3. Four criteria must be met for special valuation under this chapter.

The property must:

(1) Be an historic property;

(2) Fall within a class of historic property determined eligible for special valuation by the local legislative authority;



(3) Be substantially improved within twenty-four months prior to the application for special valuation; and

(4) Be protected by a covenant between the owner and the local review board as described in section 5(2) of this act.

**NEW SECTION, Sec. 4.** An owner of property desiring special valuation under this chapter shall apply to the assessor of the county in which the property is located upon forms prescribed by the department of revenue and supplied by the county assessor. The application form shall include a statement that the applicant is aware of the potential tax liability involved when the property ceases to be eligible for special valuation. Applications shall be made no later than October 1 of the calendar year preceding the first assessment year for which classification is requested.

**NEW SECTION, Sec. 5.** (1) Within ten days after the filing of the application in the county assessor's office, the county assessor shall refer each application for classification to the local review board.

(2) The review board shall approve the application if the property meets the criterion of section 3 of this act and is not altered in a way which adversely affects those elements which qualify it as historically significant, and the owner enters into a covenant with the review board which requires the owner for the ten-year period of the classification to:

(a) Monitor the property for its continued qualification for the special valuation;

(b) Comply with rehabilitation plans and minimum standards of maintenance as defined in the agreement;

(c) Make the historic aspects of the property accessible to public view one day a year, if the property is not visible from the public right of way;

(d) Apply to the local review board for approval or denial of any demolition or alteration; and

(e) Comply with any other provisions in the original agreement as may be appropriate.

(3) Once a covenant between an owner and a review board has become effective pursuant to this chapter, there shall be no changes in standards of maintenance, public access, alteration, or report requirements, or any other provisions of the covenant, during the period of the classification without the approval of all parties to the covenant.

(4) An application for classification as an eligible historic property shall be approved or denied by the local review board before December 31 of the calendar year in which the application is made.

**NEW SECTION, Sec. 6.** (1) The review board shall notify the county assessor and the applicant of the approval or denial of the application.

(2) If the local review board determines that the property qualifies as eligible historic property, the review board shall certify the fact in writing and shall file a copy of the certificate with the county assessor within ten days. The certificate shall state the facts upon which the approval is based.

(3) The assessor shall record the certificate with the county auditor.

(4) The assessor, as to any historic property, shall value the property under section 7 of this act and, each year the historic property is classified and so valued, shall enter on the assessment list and tax roll that the property is being specially valued as historic property.

**NEW SECTION, Sec. 7.** (1) The county assessor shall, for ten consecutive assessment years following the calendar year in which application is made, value property classified as eligible historic property excluding the actual cost of the substantial improvement completed within the twenty-four months prior to the application.

(2) The entitlement of property to the special valuation provisions of this section shall be determined as of January 1. If property becomes disqualified for the special valuation for any reason, the property shall receive the special valuation for that part of any year during which it remained qualified or the owner was acting in the good faith belief that the property was qualified.

(3) At the conclusion of special valuation, the actual cost of the substantial improvement shall be considered as new construction.

**NEW SECTION, Sec. 8.** (1) When property has once been classified and valued as eligible historic property, it shall remain so classified and be granted the special valuation provided by section 7 of this act for ten years or until the property is disqualified by:

(a) Notice by the owner to the assessor to remove the special valuation;

(b) Sale or transfer to an ownership making it exempt from property taxation; or

(c) Removal of the special valuation by the assessor upon determination by the local review board that the property no longer qualifies as historic property or that the owner has failed to comply with the conditions established under section 5 of this act.

(2) The sale or transfer to a new owner or transfer by reason of death of a former owner to a new owner does not disqualify the property from the special valuation provided by section 7 of this act if:

(a) The property continues to qualify as historic property; and

(b) The new owner files a notice of compliance with the assessor of the county in which the property is located. Notice of compliance forms shall be prescribed by the state department of

revenue and supplied by the county assessor. The notice shall contain a statement that the new owner is aware of the special valuation and of the potential tax liability involved when the property ceases to be valued as historic property under this chapter. The signed notice of compliance shall be attached to the real estate excise tax affidavit provided for in RCW 82.45-.120. If the notice of compliance is not signed by the new owner and attached to the real estate excise tax affidavit, all additional taxes calculated pursuant to section 9 (1) (a) and (b) of this act shall become due and payable by the seller or transferor at time of sale. The county auditor shall not accept an instrument of conveyance of specially valued historic property for filing or recording unless the new owner has signed the notice of compliance or the additional tax has been paid.

(3) When the property ceases to qualify for the special valuation the owner shall immediately notify the state or local review board.

**NEW SECTION.** Sec. 9. (1) Except as provided in subsection (4) of this section, whenever property classified and valued as eligible historic property under section 7 of this act becomes disqualified for the valuation, there shall be added to the tax levied against the property on the next general property tax roll an additional tax equal to:

(a) The actual cost of the substantial improvement multiplied by the levy rate in each year the property was subject to special valuation; plus

(b) Interest on the amounts of the additional tax at the statutory rate charged on delinquent property taxes from the dates on which the additional tax could have been paid without penalty if the property had not been valued as historic property under this chapter; plus

(c) A penalty equal to twelve percent of the amount determined in (a) and (b) of this subsection.

(2) The additional tax and penalties, together with applicable interest thereon, shall become a lien on the property which shall have priority to and shall be fully paid and satisfied before any recognition, mortgage, judgment, debt, obligation, or responsibility to or with which the property may become charged or liable.

(3) Before the additional tax or penalty imposed by subsection (1) of this section is added to the tax levied against the property on the next general property tax roll, in the case of disqualification under section 8 of this act, the assessor shall notify the owner of the property by mail, return receipt requested, of the disqualification.

(4) The additional tax, interest, and penalty shall not be imposed if the disqualification resulted solely from:

(a) Sale or transfer of the property to an ownership making it exempt from taxation;

(b) Alteration or destruction through no fault of the owner; or

(c) A taking through the exercise of the power of eminent domain.

**NEW SECTION.** Sec. 10. The additional tax, penalties, and/or interest provided by section 9 of this act shall be payable in full thirty days after the date which the treasurer's statement therefor is rendered. Such additional tax when collected shall be distributed by the county treasurer in the same manner in which current taxes applicable to the subject land are distributed.

**NEW SECTION.** Sec. 11. The local legislative authority and the local review board may request the assistance of the state historic preservation officer in conducting special valuation activities.

**NEW SECTION.** Sec. 12. The state review board shall adopt rules necessary to carry out the purposes of this chapter. The rules shall include rehabilitation and maintenance standards for historic properties to be used as minimum requirements by local review boards to ensure that the historic property is safe and habitable, including but not limited to:

(1) Elimination of visual blight due to past neglect of maintenance and repair to the exterior of the building, including replacement of broken or missing doors and windows, repair of deteriorated architectural features, and painting of exterior surfaces;

(2) Correction of structural defects and hazards;

(3) Protection from weather damage due to defective roofing, flashings, glazing, caulking, or lack of heat; and

(4) Elimination of any condition on the premises which could cause or augment fire or explosion.

**NEW SECTION.** Sec. 13. Any decision by a local review board on an application for classification as historic property eligible for special valuation may be appealed to superior court under RCW 34.04.130 in addition to any other remedy at law. Any decision on the disqualification of historic property eligible for special valuation, or any other dispute, may be appealed to the county board of equalization.

**NEW SECTION.** Sec. 14. No application for special valuation under this chapter may be made after December 31, 1991.

**NEW SECTION.** Sec. 15. 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. 16. Sections 1 through 14 of this act shall constitute a new chapter in Title 84 RCW.

Signed by Representatives Belcher, Chair; Peery, Vice Chair; Baugher, Brooks, Fuhrman, Hankins, O'Brien, Taylor, van Dyke, Vekich and Walk.

Absent: Representatives Sanders and Todd.

Passed to Committee on Rules for second reading.

April 4, 1985

SB 3286 Prime Sponsor, Senator Hansen: Authorizing the formation of an agricultural irrigation commission. Reported by Committee on Agriculture

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 17 after "of" strike "twenty-five" and insert "fifty"

On page 1, line 21 after "sale" insert "or processing"

On page 2, beginning on line 13 after "of," strike all material through "42.17.190;" on line 16 and insert "disseminating information about, and intervening or presenting testimony concerning power rates, within the constraints of RCW 42.17.190, in federal proceedings or procedures, in proceedings of the northwest power planning council or in state regulatory agency proceedings or procedures;"

On page 8, line 20 after "to" strike ".00075 mills" and insert ".00020 dollars"

On page 8, line 25 after "assessments," insert "Revenues derived from assessments collected under this section shall not be construed as being a part of the gross income of a business taxable under RCW 82.16.020 and RCW 82.02.030."

Signed by Representatives Vekich, Chair; Baugher, Vice Chair; Bristow, Kremen, Madsen and Peery.

MINORITY recommendation: Do not pass. Signed by Representatives Ballard, Brooks, Chandler, Doty and Nealey.

Passed to Committee on Rules for second reading.

April 5, 1985

SSB 3302 Prime Sponsor, Committee on Judiciary: Authorizing employment of chaplains by law enforcement agencies. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendment:

On page 2, beginning on line 2 strike all material through "duties." on line 3.

Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, Lewis, Locke, G. Nelson, Padden, Schmidt, Tilly and Van Luven.

Voting nay: Representatives Niemi, Schoon and West.

Absent: Representatives P. King and Wang.

Passed to Committee on Rules for second reading.

April 4, 1985

ESSB 3317 Prime Sponsor, Committee on Education: Revising the powers and duties of the athletic health care and training council. Reported by Committee on Education

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

\*Sec. 1. Section 2, chapter 286, Laws of 1984 and RCW 43.230.010 are each amended to read as follows:

(1) The athletic health care and training council is created. The council shall consist of ~~((fourteen))~~ fifteen members selected by the governor ~~((to serve four-year staggered terms. The terms of the initial members shall be as follows: Two members will serve a one-year term, four members will serve two-year terms, four members will serve three-year terms, and four members will serve four-year terms))~~. The governor shall select the members to represent diverse racial and ethnic backgrounds, the different geographical areas of the state, and both men and women as follows: Two members shall be physicians licensed under chapter 18.57 or 18.71 RCW, two members shall be physical therapists licensed under chapter 18.74 RCW, two members shall be athletic trainers, two members shall be principals of public junior high schools in this state with one from a ~~((large))~~ district of the first class and one from a ~~((small))~~ district of the second class, two members shall be principals of public high schools in this state with one from a ~~((large))~~ district of the first class and one from a ~~((small))~~ district of the second class, two members shall be school district superintendents with one from a ~~((large))~~ district of the first

class and one from a ((small)) district of the second class, one member shall be a representative of a private school which conducts junior and senior high school athletic programs, ((and)) one member shall be employed by or be an officer of an organization to which a school district has delegated control, supervision, and regulation of an activity under RCW 28A.58.125, and one member shall represent the state board of education.

(2) The members of the council shall select the chairperson from among their members.

Sec. 2. Section 5, chapter 286, Laws of 1984 and RCW 43.230.040 are each amended to read as follows:

The council may employ staff as necessary to help the council carry out its duties. ((The council may contract for services when necessary for preliminary investigations of violations of this chapter or rules adopted under this chapter.))

Sec. 3. Section 6, chapter 286, Laws of 1984 and RCW 43.230.050 are each amended to read as follows:

((1)) The council shall conduct a study of health and safety conditions in organized athletic programs designed for persons between the ages of twelve and eighteen either in public or private junior high schools and high schools in this state. The study shall be completed by ((September 1, 1984)) June 1, 1985, and submitted to the state board of education.

NEW SECTION. Sec. 4. A new section is added to chapter 43.230 RCW to read as follows:

The council shall develop and recommend to the state board of education proposed rules to establish standards for the health and safety of students between the ages of six and eighteen who participate in organized athletic programs in either public or private schools in the state. The proposed rules shall establish standards for staff training, athletic facilities, athletic equipment, training areas, the provision of athletic health care and training services, record keeping, and emergency procedures and other standards as the council may determine. The council shall submit the proposed rules to the state board of education not later than November 1, 1985.

NEW SECTION. Sec. 5. A new section is added to chapter 28A.58 RCW to read as follows:

The state board of education, in conjunction with the Washington interscholastic activities association or any other voluntary nonprofit entity which may control, supervise, and regulate the conduct of interschool athletic activities and other activities as provided under RCW 28A.58.125, shall adopt rules pursuant to chapter 34.04 RCW not later than May 1, 1986, to establish standards for the health and safety of students between the ages of six and eighteen who participate in organized athletic programs in either public or private schools in the state. The rules shall establish standards for staff training, athletic facilities, athletic equipment, training areas, the provision of athletic health care and training services, record keeping, and emergency procedures.

Sec. 6. Section 11, chapter 286, Laws of 1984 and RCW 43.131.321 are each amended to read as follows:

The athletic health care and training council and its powers and duties shall be terminated on June 30, ((1990)) 1987.

Sec. 7. Section 12, chapter 286, Laws of 1984 and RCW 43.131.322 are each amended to read as follows:

The following acts or parts of acts, as now existing or hereafter amended, are each repealed, effective June 30, ((1991)) 1987:

(1) Section 2, chapter 286, Laws of 1984, section 1 of this 1985 act and RCW 43.230.010;

(2) Section 3, chapter 286, Laws of 1984 and RCW 43.230.020;

(3) Section 4, chapter 286, Laws of 1984 and RCW 43.230.030;

(4) Section 5, chapter 286, Laws of 1984, section 2 of this 1985 act and RCW 43.230.040;

(5) Section 6, chapter 286, Laws of 1984, section 3 of this 1985 act and RCW 43.230.050; and

(6) ((Section 7 of this act and RCW 43.\_\_\_\_; and

(7) Section 8 of this act and RCW 43.\_\_\_\_; and

(8) Section 9 of this act and RCW 28A.04.\_\_\_\_)) Section 4 of this 1985 act.

NEW SECTION. Sec. 8. 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. 9. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 1 of the title, after "council," strike the remainder of the title, and insert "amending RCW 43.230.010, 43.230.040, 43.230.050, 43.131.321, and 43.131.322; adding a new section to chapter 43.230 RCW; adding a new section to chapter 28A.58 RCW; and declaring an emergency."

Signed by Representatives Ebersole, Chair; Appelwick, Betrozoff, Chandler, Cole, Holland, Long, Peery, Rayburn, Rust, Schoon, L. Smith, Taylor, Todd and Walker.

Voting nay: Representatives Valle, Vice Chair; Appelwick and Fuhrman.

Absent: Representatives P. King and Wang.

Passed to Committee on Rules for second reading.

April 5, 1985

ESB 3319 Prime Sponsor, Senator Talmadge: Authorizing award of court costs in challenges to open public meeting act. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Lewis, Locke, G. Nelson, Padden, Schmidt, Schoon, Tilly, Van Luven and West.

Voting nay: Representative Hargrove.

Absent: Representatives P. King, Niemi and Wang.

Passed to Committee on Rules for second reading.

April 4, 1985

SSB 3332 Prime Sponsor, Committee on Education: Modifying the self-insurance authority of joint governmental entities. Reported by Committee on Education

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 4, chapter 256, Laws of 1979 ex. sess. and RCW 48.62.040 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section, the governing body of any one or more local governmental entities may, as an alternative or in addition to exercising any one or more of the powers granted in RCW 48.62.030 and 36.16.138, as now or hereafter amended, or any other provision of law, form together into or join a pool or organization for the joint purchasing of insurance, and/or joint self-insuring, and/or joint hiring or contracting for risk management services to the same extent that they may individually purchase insurance, self-insure, or hire or contract for risk management services~~((PROVIDED, That))~~.

(2)(a) No organization of local governmental entities, other than local school districts and educational service districts, that is organized under ((RCW 48.62.040)) this section for the purpose of self-insuring shall provide any self-insurance other than liability insurance. For purposes of this section, liability insurance shall include but not be limited to coverage for claims arising from the tortious or negligent conduct of the local government entity, its officers, employees, or agents thereof, or any error or omission on the part of said local government entity, its officers, employees or agents thereof as a result of which a claim may be made against the local government entity.

(b) Local school districts and educational service districts may not organize under this section for the purpose of providing joint self-insured life, health, health care, accident, disability and salary protection or insurance, or any combination thereof, to the district employees, students, directors, or any of their dependents.

(3) The agreement to form such a pooling arrangement shall be made under chapter 39.34 RCW. Any pool or organization authorized to be formed by this section shall be subject to audit by the state auditor."

On page 1, line 3 of the title, after "transactions," strike the remainder of the title and insert "and amending RCW 48.62.040."

Signed by Representatives Ebersole, Chair; Valle, Vice Chair; Appelwick, Betzoff, Chandler, Cole, Fuhrman, Holland, P. King, Rayburn, Rust, L. Smith, Taylor, Todd, Walker and Wang.

MINORITY recommendation: Do not pass. Signed by Representative Long.

Voting nay: Representatives Long and Schoon.

Absent: Representatives P. King, Peery and Taylor.

Passed to Committee on Rules for second reading.

April 4, 1985

SSB 3350 Prime Sponsor, Committee on Education: Preventing the redesignation of a school district due to joint operation of certain programs. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Ebersole, Chair; Valle, Vice Chair; Appelwick, Betrozoff, Chandler, Cole, Fuhrman, Long, Peery, Rayburn, Schoon, L. Smith, Taylor, Todd, Walker and Wang.

Voting nay: Representative Holland.

Absent: Representative P. King.

Passed to Committee on Rules for second reading.

April 4, 1985

ESB 3357 Prime Sponsor, Senator Gaspard: Removing the one year limit on the waiver of the out-of-state fee differential for military personnel and their spouses and dependents. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 18 after "personnel" strike all material through "rank))" on line 19 and insert "of field grade or lower rank"

On page 1, line 21 after "Washington))" insert "for a twelve month period. The period shall begin on the first day of the semester or quarter for which such person has registered at an institution"

Signed by Representatives Jacobsen, Vice Chair; Allen, Basich, Belcher, Hastings, Miller, D. Nelson, Prince, K. Wilson and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representative G. Nelson.

Absent: Representatives Vander Stoep and Wineberry.

Passed to Committee on Rules for second reading.

April 5, 1985

ESSB 3367 Prime Sponsor, Committee on Judiciary: Revising public disclosure laws. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 2, chapter 1, Laws of 1973 as last amended by section 5, chapter 34, Laws of 1984 and RCW 42.17.020 are each amended to read as follows:

(1) 'Agency' includes all state agencies and all local agencies. 'State agency' includes every state office, department, division, bureau, board, commission, or other state agency. 'Local agency' includes every county, city, town, municipal corporation, quasi-municipal corporation, or special purpose district, or any office, department, division, bureau, board, commission, or agency thereof, or other local public agency.

(2) 'Ballot proposition' means any 'measure' as defined by RCW 29.01.110, or any initiative, recall, or referendum proposition proposed to be submitted to the voters of the state or any municipal corporation, political subdivision, or other voting constituency from and after the time when the proposition has been initially filed with the appropriate election officer of that constituency prior to its circulation for signatures.

(3) 'Campaign depository' means a bank designated by a candidate or political committee pursuant to RCW 42.17.050.

(4) 'Campaign treasurer' and 'deputy campaign treasurer' mean the individuals appointed by a candidate or political committee, pursuant to RCW 42.17.050, to perform the duties specified in that section.

(5) 'Candidate' means any individual who seeks election to public office. An individual shall be deemed to seek election when he first:

(a) Receives contributions or makes expenditures or reserves space or facilities with intent to promote his candidacy for office; or

(b) Announces publicly or files for office.

(6) 'Commercial advertiser' means any person who sells the service of communicating messages or producing printed material for broadcast or distribution to the general public or segments of the general public whether through the use of newspapers, magazines, television and radio stations, billboard companies, direct mail advertising companies, printing companies, or otherwise.

(7) 'Commission' means the agency established under RCW 42.17.350.

(8) 'Compensation' unless the context requires a narrower meaning, includes payment in any form for real or personal property or services of any kind: PROVIDED, That for the purpose of compliance with RCW 42.17.241, the term 'compensation' shall not include per diem allowances or other payments made by a governmental entity to reimburse a public official for

expenses incurred while the official is engaged in the official business of the governmental entity.

(9) 'Continuing political committee' means a political committee that is an organization of continuing existence not established in anticipation of any particular election campaign.

(10) 'Contribution' includes a loan, gift, deposit, subscription, forgiveness of indebtedness, donation, advance, pledge, payment, transfer of funds between political committees, or transfer of anything of value, including personal and professional services for less than full consideration, but does not include interest on moneys deposited in a political committee's account, ordinary home hospitality and the rendering of 'part-time' personal services of the sort commonly performed by volunteer campaign workers, or incidental expenses personally incurred by volunteer campaign workers not in excess of twenty-five dollars personally paid for by the worker. 'Part-time' services, for the purposes of this chapter, means services in addition to regular full-time employment, or, in the case of an unemployed person, services not in excess of twenty hours per week, excluding weekends. For the purposes of this chapter, contributions other than money or its equivalents shall be deemed to have a money value equivalent to the fair market value of the contribution. Sums paid for tickets to fund-raising events such as dinners and parties are contributions; however, the amount of any such contribution may be reduced for the purpose of complying with the reporting requirements of this chapter, by the actual cost of consumables furnished in connection with the purchase of the tickets, and only the excess over the actual cost of the consumables shall be deemed a contribution.

(11) 'Elected official' means any person elected at a general or special election to any public office, and any person appointed to fill a vacancy in any such office.

(12) 'Election' includes any primary, general, or special election for public office and any election in which a ballot proposition is submitted to the voters: PROVIDED, That an election in which the qualifications for voting include other than those requirements set forth in Article VI, section 1 (Amendment 63) of the Constitution of the state of Washington shall not be considered an election for purposes of this chapter.

(13) 'Election campaign' means any campaign in support of or in opposition to a candidate for election to public office and any campaign in support of, or in opposition to, a ballot proposition. An election campaign begins when the initial filing obligation in RCW 42.17.040 or 42.17.050 is incurred and ends when the final report for the campaign is filed.

(14) 'Expenditure' includes a payment, contribution, subscription, distribution, loan, advance, deposit, or gift of money or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure. The term 'expenditure' also includes a promise to pay, a payment, or a transfer of anything of value in exchange for goods, services, property, facilities, or anything of value for the purpose of assisting, benefiting, or honoring any public official or candidate, or assisting in furthering or opposing any election campaign. For the purposes of this chapter, agreements to make expenditures, contracts, and promises to pay may be reported as estimated obligations until actual payment is made. The term 'expenditure' shall not include the partial or complete repayment by a candidate or political committee of the principal of a loan, the receipt of which loan has been properly reported, or payment of service charges against a political committee's campaign account.

(15) 'Final report' means the report described as a final report in RCW 42.17.080(2).

(16) 'Immediate family' includes the spouse, dependent children, and other dependent relatives, if living in the household.

(17) 'Legislation' means bills, resolutions, motions, amendments, nominations, and other matters pending or proposed in either house of the state legislature, and includes any other matter that may be the subject of action by either house or any committee of the legislature and all bills and resolutions that, having passed both houses, are pending approval by the governor.

(18) 'Lobby' and 'lobbying' each mean attempting to influence the passage or defeat of any legislation by the legislature of the state of Washington, or the adoption or rejection of any rule, standard, rate, or other legislative enactment of any state agency under the state administrative procedure acts, chapter 34.04 RCW and chapter 28B.19 RCW.

(19) 'Lobbyist' includes any person who lobbies either in his own or another's behalf.

(20) 'Lobbyist's employer' means the person or persons by whom a lobbyist is employed and all persons by whom he is compensated for acting as a lobbyist.

(21) 'Person' includes an individual, partnership, joint venture, public or private corporation, association, federal, state, or local governmental entity or agency however constituted, candidate, committee, political committee, political party, executive committee thereof, or any other organization or group of persons, however organized.

(22) 'Person in interest' means the person who is the subject of a record or any representative designated by that person, except that if that person is under a legal disability, the term 'person in interest' means and includes the parent or duly appointed legal representative.

(23) 'Political advertising' includes any advertising displays, newspaper ads, billboards, signs, brochures, articles, tabloids, flyers, letters, radio or television presentations, or other

means of mass communication, used for the purpose of appealing, directly or indirectly, for votes or for financial or other support in any election campaign.

(24) 'Political committee' means any person (except a candidate or an individual dealing with his own funds or property) having the expectation of receiving contributions or making expenditures in support of, or opposition to, any candidate or any ballot proposition.

(25) 'Public office' means any federal, state, county, city, town, school district, port district, special district, or other state political subdivision elective office.

(26) 'Public record' includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics.

(27) 'Surplus funds' mean, in the case of a political committee or candidate, the balance of contributions that remain in the possession or control of that committee or candidate subsequent to the election for which the contributions were received, and that are in excess of the amount necessary to pay remaining debts incurred by the committee or candidate prior to that election. In the case of a continuing political committee, 'surplus funds' mean those contributions remaining in the possession or control of the committee that are in excess of the amount necessary to pay all remaining debts when it makes its final report under RCW 42.17.065.

(28) 'Writing' means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums, and other documents.

As used in this chapter, the singular shall take the plural and any gender, the other, as the context requires.

Sec. 2. Section 3, chapter 1, Laws of 1973 as amended by section 2, chapter 313, Laws of 1977 ex. sess. and RCW 42.17.030 are each amended to read as follows:

(1) The provisions of this chapter relating to the financing of election campaigns shall apply in all election campaigns other than (a) for precinct committeeman; (b) for a federal elective office; and (c) for an office (~~the constituency of which~~) of a political subdivision of the state that does not encompass a whole county and (~~which~~) that contains (~~less~~) fewer than five thousand registered voters as of the date of the most recent general election in (~~such district~~) the subdivision.

(2) The exemption in subsection (1)(c) of this section does not apply in any jurisdiction from which a 'petition for disclosure' containing the valid signatures of fifteen percent of the number of registered voters, as of the date of the most recent general election in the jurisdiction, is filed with the commission. The commission shall prescribe by rule the form of the petition. After the signatures are gathered, the petition shall be presented to the auditor or elections officer of the county, or counties, in which the jurisdiction is located. The auditor or elections officer shall verify the signatures and certify to the commission that the petition contains no fewer than the required number of valid signatures. The commission, upon receipt of a valid petition, shall order every candidate, political committee, or person making independent expenditures in election campaigns in the jurisdiction to comply with the campaign finance reporting provisions of this chapter within fourteen days of the date of the order. The order of the commission is valid for any election occurring in the jurisdiction for a two-year period following its issuance.

(3) The exemption in subsection (1)(c) of this section does not apply in any jurisdiction that by ordinance, resolution, or other official action has petitioned the commission to void the exemption with respect to election campaigns in the jurisdiction. A copy of the action shall be sent to the commission. If the commission finds the petition to be a valid action of the appropriate governing body or authority, the commission shall issue an order voiding the exemption for that jurisdiction. The commission, upon approval of the action, shall order every candidate, political committee, or person making independent expenditures in the jurisdiction to comply with the campaign finance reporting provisions of this chapter within fourteen days of the date of the order. The order applies to all elections in the jurisdiction for two years after its issuance.

(4) Any petition for disclosure, ordinance, resolution, or official action of an agency petitioning the commission to void the exemption in subsection (1)(c) of this section shall not be considered unless it has been filed with the commission:

(a) in the case of a ballot measure, at least sixty days before the date of any election in which campaign finance reporting is to be required;

(b) in the case of a candidate, at least sixty days before the first day on which a person may file a declaration of candidacy for any election in which campaign finance reporting is to be required.

(5) Any person exempted from reporting under this section may at his or her option file the statements and reports.

Sec. 3. Section 5, chapter 1, Laws of 1973 as amended by section 2, chapter 147, Laws of 1982 and RCW 42.17.050 are each amended to read as follows:



(1) Each candidate, within two weeks after becoming a candidate, and each political committee, at the time it is required to file a statement of organization, shall designate and file with the commission and the appropriate county elections officer the names and addresses of:

(a) One legally competent individual, who may be the candidate, to serve as a campaign treasurer; and

(b) A bank, mutual savings bank, savings and loan association, or credit union doing business in this state to serve as campaign depository and the name of the account or accounts therein maintained.

(2) A candidate, a political committee, or a campaign treasurer may appoint as many deputy campaign treasurers as is considered necessary and may designate not more than one additional campaign depository in each other county in which the campaign is conducted. The candidate or political committee shall file the names and addresses of the deputy campaign treasurers and additional campaign depositories with the commission and the appropriate county elections officer.

(3) A candidate may not knowingly establish, use, direct, or control more than one political committee for the purpose of supporting that candidate during a particular election campaign. This does not prohibit joint fund-raising efforts by candidates when a separate political committee is established for that purpose and all contributions are disbursed to and accounted for on a pro rata basis by the benefiting candidates.

(4) (a) A candidate or political committee may at any time remove a campaign treasurer or deputy campaign treasurer or change a designated campaign depository.

(b) In the event of the death, resignation, removal, or change of a campaign treasurer, deputy campaign treasurer, or depository, the candidate or political committee shall designate and file with the commission and the appropriate county elections officer the name and address of any successor.

~~((4))~~ (5) No campaign treasurer, deputy campaign treasurer, or campaign depository may be deemed to be in compliance with the provisions of this chapter until his name and address is filed with the commission and the appropriate county elections officer.

Sec. 4. Section 6, chapter 1, Laws of 1973 as last amended by section 3, chapter 147, Laws of 1982 and RCW 42.17.060 are each amended to read as follows:

(1) All monetary contributions received by a candidate or political committee shall be deposited by the campaign treasurer or deputy treasurer in a campaign depository in an account established and designated for that purpose. Such deposits shall be made within five business days of receipt of the contribution.

(2) Political committees which support or oppose more than one candidate or ballot proposition, or exist for more than one purpose, may maintain multiple separate bank accounts within the same designated depository for such purpose: PROVIDED, That each such account shall bear the same name followed by an appropriate designation which accurately identifies its separate purpose: AND PROVIDED FURTHER, That transfers of funds which must be reported under RCW 42.17.090(1)(d), as now or hereafter amended, may not be made from more than one such account.

(3) Nothing in this section prohibits a candidate or political committee from investing funds on hand in a campaign depository in bonds, certificates, or savings accounts or other similar savings instruments in financial institutions other than the campaign depository: PROVIDED, That the commission and the appropriate county elections officer is notified in writing of the initiation and the termination of the investment: PROVIDED FURTHER, That the principal of such investment when terminated together with all interest, dividends, and income derived from the investment are deposited in the campaign depository in the account from which the investment was made and properly reported to the commission and the appropriate county elections officer prior to any further disposition or expenditure thereof.

(4) Accumulated unidentified contributions, other than those made by persons whose names must be maintained on a separate and private list by a political committee's campaign treasurer pursuant to RCW 42.17.090(1)(b), which total in excess of one percent of the total accumulated contributions received in the current calendar year or three hundred dollars (whichever is more), may not be deposited, used, or expended, but shall be returned to the donor, if his identity can be ascertained. If the donor cannot be ascertained, the contribution shall escheat to the state, and shall be paid to the state treasurer for deposit in the state general fund.

(5) A contribution of fifty dollars or more in currency may not be accepted unless a receipt, signed by the contributor and by the candidate, campaign treasurer, or deputy campaign treasurer, is prepared and made a part of the campaign's or political committee's financial records.

Sec. 5. Section 7, chapter 1, Laws of 1973 and RCW 42.17.070 are each amended to read as follows:

No expenditures ~~((shall))~~ may be made or incurred by any candidate or political committee except on the authority of the campaign treasurer or the candidate, and a record of all such expenditures shall be maintained by the campaign treasurer.

No expenditure of fifty dollars or more may be made in currency unless a receipt, signed by the recipient and by the candidate or campaign treasurer, is prepared and made a part of the campaign's or political committee's financial records.

Sec. 6. Section 10, chapter 1, Laws of 1973 as last amended by section 9, chapter 147, Laws of 1982 and RCW 42.17.100 are each amended to read as follows:

(1) ~~((f))~~ For the purposes of this ~~((subsection (f)))~~ section the term 'independent campaign expenditure' means any expenditure ~~((which))~~ that is made in support of or in opposition to any candidate or ballot proposition and is not otherwise required to be reported pursuant to RCW 42.17.060, 42.17.065, 42.17.080, or 42.17.090.

~~((b))~~ (2) Within five days after the date of making an independent campaign expenditure ~~((which))~~ that by itself or when added to all other such independent campaign expenditures made during the same election campaign by the same person equals one hundred dollars or more, or within five days after the date of making an independent campaign expenditure for which no reasonable estimate of monetary value is practicable, whichever occurs first, the person who made ~~((such))~~ the independent campaign expenditure shall file with the commission and the county auditor of the county of residence for the candidate supported or opposed by the independent campaign expenditure (or in the case of an expenditure made in support of or in opposition to a local ballot proposition, the county of residence for the person making the expenditure) an initial report of all independent campaign expenditures made during ~~((such))~~ the campaign prior to and including such date.

~~((c))~~ (3) At the following intervals each person who is required to file an initial report pursuant to subsection ~~((f))~~ (2) of this section shall file with the commission and the county auditor of the county of residence for the candidate supported or opposed by the independent campaign expenditure (or in the case of an expenditure made in support of or in opposition to a ballot proposition, the county of residence for the person making the expenditure) a further report of the independent campaign expenditures made since the date of the last report:

~~((f))~~ (a) On the twenty-first day preceding the primary and the seventh day preceding the date on which the election is held; and

~~((f))~~ (b) Within twenty-one days after the date of the election; and

~~((f))~~ (c) On the tenth day of each month in which no other reports are required to be filed pursuant to this ~~((subsection (f)))~~ ~~PROVIDED, That such~~ section. However, the further reports required by this subsection ~~((f))~~ (3) shall only be filed if the reporting person has made an independent campaign expenditure since the date of the last previous report filed.

The report filed pursuant to paragraph ~~((f))~~ (a) of this subsection ~~((f))~~ (3) shall be the final report, and upon submitting such final report the duties of the reporting person shall cease, and there shall be no obligation to make any further reports.

~~((d))~~ (4) All reports filed pursuant to this ~~((subsection (f)))~~ section shall be certified as correct by the reporting person.

~~((e))~~ (5) Each report required by subsections ~~((f))~~ (2) and ~~((f))~~ (3) of this ~~((subsection (f)))~~ section shall disclose for the period beginning at the end of the period for the last previous report filed or, in the case of an initial report, beginning at the time of the first independent campaign expenditure, and ending not more than five days prior to the date the report is due:

~~((f))~~ (a) The name and address of the person filing the report;

~~((f))~~ (b) The name and address of each person to whom an independent campaign expenditure was made in the aggregate amount of twenty-five dollars or more, and the amount, date, and purpose of each such expenditure; ~~((PROVIDED, That))~~ If no reasonable estimate of the monetary value of a particular independent campaign expenditure is practicable, it ~~((shall be))~~ is sufficient to report instead a precise description of services, property, or rights furnished through the expenditure and where appropriate to attach a copy of the item produced or distributed by the expenditure;

~~((f))~~ (c) The total sum of all independent campaign expenditures made during the campaign to date; and

~~((f))~~ (d) Such other information as shall be required by the commission by ~~((regulation))~~ rule in conformance with the policies and purposes of this chapter.

~~((2))~~ (a) ~~Any person who contributes in the aggregate amount of one hundred dollars or more during the preceding twelve-month period to any political committee not domiciled in the state of Washington or not otherwise required to report under this chapter, if the person reasonably expects such political committee to make contributions in respect to any election covered by this chapter, shall file with the commission a report signed by the contributor disclosing the contributor's name and address, the date, nature, purpose, amount, and recipient of such contribution, and any instructions given as to the use or disbursement of such contribution.~~

~~(b) The initial report shall be filed with the commission within five days after the date on which the aggregate contribution amount of one hundred dollars or more is reached, and each subsequent report shall be filed within five days after each subsequent contribution is made to the same such political committee.)~~

Sec. 7. Section 6, chapter 336, Laws of 1977 ex. sess. and RCW 42.17.125 are each amended to read as follows:

Contributions received and reported in accordance with RCW 42.17.060 through 42.17.090 may only be transferred to ~~((a candidate's))~~ the personal account of a candidate, or of a campaign treasurer or other individual or expended for ~~((a candidate's))~~ such individual's personal use under the following circumstances:

(1) Reimbursement for or loans to cover lost earnings incurred as a result of campaigning or services performed for the committee. Such lost earnings shall be verifiable as unpaid salary, or when the ~~((candidate))~~ individual is not salaried, as an amount not to exceed income received by the ~~((candidate))~~ individual for services rendered during an appropriate, corresponding time period. All lost earnings incurred shall be documented and a record thereof shall be maintained by the ~~((candidate))~~ individual or the ~~((candidate's))~~ individual's political committee. The committee shall include a copy of such record when its expenditure for such reimbursement is reported pursuant to RCW 42.17.090.

(2) Reimbursement for direct out-of-pocket election campaign and postelection campaign related expenses made by the ~~((candidate))~~ individual. To receive reimbursement from ~~((his))~~ the political committee, the ~~((candidate))~~ individual shall provide the committee with written documentation as to the amount, date, and description of each expense, and the committee shall include a copy of such information when its expenditure for such reimbursement is reported pursuant to RCW 42.17.090.

(3) Repayment of loans made by the ~~((candidate))~~ individual to political committees, which repayment shall be reported pursuant to RCW 42.17.090.

Sec. 8. Section 21, chapter 294, Laws of 1975 1st ex. sess. as amended by section 11, chapter 147, Laws of 1982 and RCW 42.17.155 are each amended to read as follows:

~~((+))~~ Each lobbyist shall at the time he registers submit to the commission a recent photograph of himself of a size and format as determined by rule of the commission, together with the name of the lobbyist's employer, the length of his employment as a lobbyist before the legislature, a brief biographical description, and any other information he may wish to submit not to exceed fifty words in length~~((;))~~. Such photograph and information ~~((to))~~ shall be published at least annually in a booklet form by the commission for distribution to legislators and the public.

~~((2))~~ There is established a fund to be known as the 'lobbyists' booklet revolving fund' which shall consist of all receipts from sales of the booklets described in subsection (1) of this section. This fund shall be used for expenses of production and sale of such booklets and for no other purpose~~((;))~~.

Sec. 9. Section 17, chapter 1, Laws of 1973 as last amended by section 13, chapter 147, Laws of 1982 and RCW 42.17.170 are each amended to read as follows:

(1) Any lobbyist registered under RCW 42.17.150 and any person who lobbies shall file with the commission periodic reports of his activities signed by the lobbyist. The reports shall be made in the form and manner prescribed by the commission. They shall be due monthly and shall be filed within fifteen days after the last day of the calendar month covered by the report.

(2) Each such monthly periodic report shall contain:

(a) The totals of all expenditures made or incurred by such lobbyist or on behalf of such lobbyist by the lobbyist's employer during the period covered by the report, which totals shall be segregated according to financial category, including compensation; food and refreshments; living accommodations; advertising; travel; contributions; and other expenses or services. Each individual expenditure of more than twenty-five dollars for entertainment shall be identified by date, place, amount, and the names of all persons in the group partaking in or of such entertainment including any portion thereof attributable to the lobbyist's participation therein but without allocating any portion of such expenditure to individual participants.

Notwithstanding the foregoing, lobbyists are not required to report the following:

- (i) Unreimbursed personal living and travel expenses not incurred directly for lobbying;
- (ii) Any expenses incurred for his or her own living accommodations;
- (iii) Any expenses incurred for his or her own travel to and from hearings of the legislature;
- (iv) Any expenses incurred for telephone, and any office expenses, including rent and salaries and wages paid for staff and secretarial assistance.

(b) In the case of a lobbyist employed by more than one employer, the proportionate amount of such expenditures in each category incurred on behalf of each of his employers.

(c) An itemized listing of each such expenditure in the nature of a contribution of money or of tangible or intangible personal property to any candidate, elected official, or officer or employee of any agency, or any political committee supporting or opposing any ballot proposition, or for or on behalf of any candidate, elected official, or officer or employee of any agency, or any political committee supporting or opposing any ballot proposition. All contributions made to, or for the benefit of, any candidate, elected official, or officer or employee of any agency, or any political committee supporting or opposing any ballot proposition shall be identified by date, amount, and the name of the candidate, elected official, or officer or employee of any agency, or any political committee supporting or opposing any ballot proposition receiving, or to be benefited by each such contribution.

(d) The subject matter of proposed legislation or other legislative activity or rule-making under chapter 34.04 RCW and chapter 28B.19 RCW (the state administrative procedure acts) and the state agency considering the same, which the lobbyist has been engaged in supporting or opposing during the reporting period.

(e) Such other information relevant to lobbying activities to be contained in the monthly report from all such lobbyists as the commission shall by rule prescribe.

Sec. 10. Section 20, chapter 1, Laws of 1973 and RCW 42.17.200 are each amended to read as follows:

(1) Any person who has made expenditures, not reported under other sections of this chapter, exceeding five hundred dollars in the aggregate within any three-month period or exceeding two hundred dollars in the aggregate within any one-month period in presenting a program addressed to the public, a substantial portion of which is intended, designed, or calculated primarily to influence legislation shall be required to register and report, as provided in subsection (2) of this section, as a sponsor of a grass roots lobbying campaign.

(2) Within thirty days after becoming a sponsor of a grass roots lobbying campaign, the sponsor shall register by filing with the commission a registration statement, in such detail as the commission shall prescribe, showing:

(a) The sponsor's name, address, and business or occupation, and, if the sponsor is not an individual, the names, addresses, and titles of the controlling persons responsible for managing the sponsor's affairs(:);

(b) The names, addresses, and business or occupation of all persons organizing and managing the campaign, or hired to assist the campaign, including any public relations or advertising firms participating in the campaign, and the terms of compensation for all such persons(:);

(c) The names and addresses of ~~((all))~~ each person(s) contributing twenty-five dollars or more to the campaign, and the aggregate amount contributed ~~((by each contributor:))~~;

(d) The purpose of the campaign, including the specific legislation, rules, rates, standards, or proposals ~~((which))~~ that are the subject matter of the campaign(:);

(e) The totals of all expenditures made or incurred to date on behalf of the campaign, which totals shall be segregated according to financial category, including but not limited to the following: Advertising, segregated by media, and in the case of large expenditures (as provided by rule of the commission), by outlet; contributions; entertainment, including food and refreshments; office expenses including rent and the salaries and wages paid for staff and secretarial assistance, or the proportionate amount thereof paid or incurred for lobbying campaign activities; consultants; and printing and mailing expenses.

(3) Every sponsor who has registered under this section shall file monthly reports with the commission, which reports shall be filed by the tenth day of the month for the activity during the preceding month. The reports shall update the information contained in the sponsor's registration statement and in prior reports and shall show contributions received and totals of expenditures made during the month, in the same manner as provided for in the registration statement.

(4) When the campaign has been terminated, the sponsor shall file a notice of termination with the final monthly report, which notice shall state the totals of all contributions and expenditures made on behalf of the campaign, in the same manner as provided for in the registration statement.

Sec. 11. Section 37, chapter 1, Laws of 1973 as last amended by section 7, chapter 34, Laws of 1984 and RCW 42.17.370 are each amended to read as follows:

The commission is empowered to:

(1) Adopt, promulgate, amend, and rescind suitable administrative rules to carry out the policies and purposes of this chapter, which rules shall be adopted under chapter 34.04 RCW;

(2) Appoint and set, within the limits established by the committee on salaries under RCW 43.03.028, the compensation of an executive director who shall perform such duties and have such powers as the commission may prescribe and delegate to implement and enforce this chapter efficiently and effectively. The commission shall not delegate its authority to adopt, amend, or rescind rules nor shall it delegate authority to determine whether an actual violation of this chapter has occurred or to assess penalties for such violations;

(3) Prepare and publish such reports and technical studies as in its judgment will tend to promote the purposes of this chapter, including reports and statistics concerning campaign financing, lobbying, financial interests of elected officials, and enforcement of this chapter;

~~((3))~~ (4) Make from time to time, on its own motion, audits and field investigations;

~~((4))~~ (5) Make public the time and date of any formal hearing set to determine whether a violation has occurred, the question or questions to be considered, and the results thereof;

~~((5))~~ (6) Administer oaths and affirmations, issue subpoenas, and compel attendance, take evidence and require the production of any books, papers, correspondence, memorandums, or other records ~~((that the commission deems))~~ relevant or material for the purpose of any investigation authorized under this chapter, or any other proceeding under this chapter;

~~((6))~~ (7) Adopt and promulgate a code of fair campaign practices;

((f7)) (8) Relieve, by rule, candidates or political committees of obligations to comply with the provisions of this chapter relating to election campaigns, if they have not received contributions nor made expenditures in connection with any election campaign of more than one thousand dollars; ~~(and~~

(h)) (9) Adopt rules prescribing reasonable requirements for keeping accounts of and reporting on a quarterly basis costs incurred by state agencies, counties, cities, and other municipalities and political subdivisions in preparing, publishing, and distributing legislative information. The term 'legislative information,' for the purposes of this subsection, means books, pamphlets, reports, and other materials prepared, published, or distributed at substantial cost, a substantial purpose of which is to influence the passage or defeat of any legislation. The state auditor in his regular examination of each agency under chapter 43.09 RCW shall review the rules, accounts, and reports and make appropriate findings, comments, and recommendations in his examination reports concerning those agencies(;;):

((f9)) (10) After hearing, by order approved and ratified by a majority of the membership of the commission, suspend or modify any of the reporting requirements of this chapter in a particular case if it finds that literal application of this chapter works a manifestly unreasonable hardship and if it also finds that the suspension or modification will not frustrate the purposes of the chapter. The commission shall find that a manifestly unreasonable hardship exists if reporting the name of an entity required to be reported under RCW 42.17.241(1)(g)(ii) would be likely to adversely affect the competitive position of any entity in which the person filing the report or any member of his immediate family holds any office, directorship, general partnership interest, or an ownership interest of ten percent or more. Any suspension or modification shall be only to the extent necessary to substantially relieve the hardship. The commission shall act to suspend or modify any reporting requirements only if it determines that facts exist that are clear and convincing proof of the findings required under this section. Any citizen has standing to bring an action in Thurston county superior court to contest the propriety of any order entered under this section within one year from the date of the entry of the order; ~~and~~

(11) Revise, at least once every five years but no more often than every two years, the monetary reporting thresholds and reporting code values of this chapter. The revisions shall be only for the purpose of recognizing economic changes as reflected by an inflationary index recommended by the office of financial management. The revisions shall be guided by the change in the index for the period commencing with the month of December preceding the last revision and concluding with the month of December preceding the month the revision is adopted. As to each of the three general categories of this chapter (reports of campaign finance, reports of lobbyist activity, and reports of the financial affairs of elected and appointed officials), the revisions shall equally affect all thresholds within each category. Revisions shall be adopted as rules under chapter 34.04 RCW. The first revision authorized by this subsection shall reflect economic changes from the time of the last legislative enactment affecting the respective code or threshold through December 1985.

Sec. 12. Section 12, chapter 112, Laws of 1975-76 2nd ex. sess. as amended by section 16, chapter 147, Laws of 1982 and RCW 42.17.395 are each amended to read as follows:

(1) The commission may (a) determine whether an actual violation of this chapter has occurred; and (b) issue and enforce an appropriate order following such determination.

(2) The commission, in cases where it chooses to determine whether an actual violation of this chapter has occurred, shall hold a contested case hearing pursuant to the administrative procedure act (chapter 34.04 RCW) to make such determination. Any order ~~((which))~~ that the commission issues under this section shall be pursuant to such hearing.

(3) In lieu of holding a hearing or issuing an order under this section, the commission may refer the matter to the attorney general or other enforcement agency as provided in RCW 42.17.360.

(4) The person against whom an order is directed under this section shall be designated as the respondent. ~~((Such))~~ The order may require the respondent to cease and desist from the activity ~~((which))~~ that constitutes a violation and in addition, or alternatively, may impose one or more of the remedies provided in RCW 42.17.390(1) (b), (c), (d), or (e); PROVIDED, That no individual penalty assessed by the commission may exceed ~~((two hundred fifty))~~ one thousand dollars, and in any case where multiple violations are involved in a single complaint or hearing, the maximum aggregate penalty may not exceed two thousand five hundred dollars.

(5) An order issued by the commission under this section shall be subject to judicial review under the administrative procedure act (chapter 34.04 RCW). If the commission's order is not satisfied and no petition for review is filed within thirty days as provided in RCW 34.04.130, the commission may petition a court of competent jurisdiction of any county in which a petition for review could be filed under that section, for an order of enforcement. Proceedings in connection with the commission's petition shall be in accordance with RCW 42.17.397, as now or hereafter amended.

Sec. 13. Section 1, chapter 60, Laws of 1982 and RCW 42.17.405 are each amended to read as follows:

(1) (During the period between March 26, 1982, and January 1, 1986) Except as provided in subsections (2) and (3) of this section, the reporting provisions of this chapter ((are suspended

as they pertain)) do not apply to candidates, elected officials, and agencies in jurisdictions with less than one thousand registered voters as of the date of the most recent general election in the jurisdiction(~~The suspension also applies~~), to political committees formed to support or oppose ballot propositions in such jurisdictions, ((and)) or to persons making independent expenditures in support of or opposition to such ballot propositions.

(2) The ((suspension shall not)) reporting provisions of this chapter apply in any jurisdiction from which a 'petition for disclosure' containing the valid signatures of five percent of the number of registered voters, as of the date of the most recent general election in the jurisdiction, is filed with the commission. The commission shall by rule prescribe the form of the petition. After the signatures are gathered, the petition shall be presented to the auditor or elections officer of the county, or counties, in which the jurisdiction is located. The auditor or elections officer shall verify the signatures and certify to the commission that the petition contains no less than the required number of valid signatures. The commission, upon receipt of a valid petition, shall order every incumbent elected official and candidate in the jurisdiction to file the required statement and reports within thirty days of the date of the order.

(3) The ((suspension shall not)) reporting provisions of this chapter apply in any jurisdiction which by ordinance, resolution, or other official action has petitioned the commission to ((void the suspension with respect)) make the provisions applicable to elected officials and candidates of the jurisdiction. A copy of the action shall be sent to the commission. If the commission finds the petition to be a valid action of the appropriate governing body or authority, the commission shall issue an appropriate order ((voiding the suspension for that jurisdiction)). The commission, upon approval of the action, shall order every incumbent elected official and candidate in the jurisdiction to file the required statement and reports within thirty days of the date of the order.

(4) Any person exempted from reporting by ((the suspension under)) subsection (1) of this section may at his or her option file the statement and reports."

On page 1, line 1 of the title, after "law;" strike the remainder of the title and insert "amending RCW 42.17.020, 42.17.030, 42.17.050, 42.17.060, 42.17.070, 42.17.100, 42.17.125, 42.17.155, 42.17.170, 42.17.200, 42.17.370, 42.17.395, and 42.17.405; and prescribing penalties."

Signed by Representatives Fisher, Chair; Leonard, Vice Chair; Barnes, Barrett, Day, Fisch, Madsen, Miller, Nealey, Sommers and Walker.

Passed to Committee on Rules for second reading.

April 5, 1985

SB 3373 Prime Sponsor, Senator Moore: Authorizing recovery of additional costs for plaintiffs against certain judgment debtors. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 1, chapter 133, Laws of 1893 as last amended by section 6, chapter 45, Laws of 1983 1st ex. sess. and RCW 6.32.010 are each amended to read as follows:

At any time within ten years after entry of a judgment for the sum of twenty-five dollars or over upon application by the judgment creditor, such court or judge may, by an order, require the judgment debtor to appear at a specified time and place before the judge granting the order, or a referee appointed by him, to answer concerning the same; and the judge to whom application is made under this chapter may, if it is made to appear to him by the affidavit of the judgment creditor, his agent or attorney that there is danger of the debtor absconding, order the sheriff to arrest the debtor and bring him before the judge granting the order. Upon being brought before the judge he may be ordered to enter into a bond, with sufficient sureties, that he will attend from time to time before the judge or referee, as shall be directed, during the pendency of the proceedings and until the final termination thereof. If the judgment debtor or other persons against whom the special proceedings are instituted has been served with these proceedings ((and fails to answer or appear)), the plaintiff shall be entitled to costs of service, notary fees, and ((reasonable attorney fees)) an appearance fee of twenty-five dollars. If the judgment debtor or other persons fail to answer or appear, the plaintiff shall additionally be entitled to reasonable attorney fees. If a plaintiff institutes special proceedings and fails to appear, a judgment debtor or other person against whom the proceeding was instituted who appears is entitled to an appearance fee of twenty-five dollars and reasonable attorney fees."

Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, P. King, Lewis, Locke, G. Nelson, Padden, Schmidt, Schoon, Tilly, Van Luvan and West.

Voting nay: Representative West.

Absent: Representatives Appelwick, Niemi, Schmidt and Wang.

Passed to Committee on Rules for second reading.

April 5, 1985

ESB 3374 Prime Sponsor, Senator Talmadge: Revising provisions relating to the award of attorneys' fees. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, P. King, Lewis, Locke, G. Nelson, Niemi, Padden, Schmidt, Schoon, Tilly, Van Luven and West.

Absent: Representatives Appelwick and Wang.

Passed to Committee on Rules for second reading.

April 4, 1985

SSB 3390 Prime Sponsor, Committee on Ways & Means: Changing nursing home auditing standards. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

\*Sec. 1. Section 18, chapter 177, Laws of 1980 as last amended by section 147, chapter 7, Laws of 1985 and RCW 74.46.180 are each amended to read as follows:

(1) The state shall make payment of any underpayments within thirty days after the date the preliminary or final settlement report is submitted to the contractor.

(2) A contractor found to have received either overpayments or erroneous payments under a preliminary or final settlement shall refund such payments to the state within thirty days after the date the preliminary or final settlement report is submitted to the contractor, subject to the provisions of subsections (3), (4), and (7) of this section.

(3) Within the cost centers of nursing services and food, all savings resulting from the respective allowable costs being lower than the respective reimbursement rate paid to the contractor during the report period shall be refunded. In computing a preliminary or final settlement, savings in a cost center may be shifted to cover a deficit in another cost center up to the amount of any savings: PROVIDED, That not more than twenty percent of the rate in a cost center may be shifted into that cost center and no shifting may be made into the property cost center.

(4) Within the cost centers of administration and operations and property, the contractor shall retain at least fifty percent, but not more than seventy-five percent, of any savings resulting from the respective audited allowable costs being lower than the respective reimbursement rates paid to the contractor during the report period multiplied by the number of authorized medical care client days in which said rates were in effect, except that no savings may be retained if reported costs in the property cost center and the administration and operations cost center exceed audited allowable costs by ten cents or more per patient day. The secretary, by rule and regulation, shall establish the basis for the specific percentages of savings to the contractors. Such rules and regulations may provide for differences in the percentages allowed for each cost center to individual facilities based on performance measures related to administrative efficiency.

(5) All allowances provided by RCW 74.46.530 shall be retained by the contractor. Any industrial insurance dividend or premium discount under RCW 51.16.035 shall be retained by the contractor to the extent that such dividend or premium discount is attributable to the contractor's private patients.

(6) In the event the contractor fails to make repayment in the time provided in subsection (2) of this section, the department shall either:

(a) Deduct the amount of refund due plus assessment of interest, as determined by the secretary, from payment amounts due the contractor; or

(b) In the instance the contract has been terminated, (i) deduct the amount of refund due plus an assessment of interest, determined by the secretary, from any payments due; or (ii) assess the amount due plus interest, as determined by the secretary, on the amount due.

(7) Where the facility is pursuing timely-filed judicial or administrative remedies in good faith regarding settlement issues, the contractor need not refund nor shall the department withhold from the facility current payment amounts the department claims to be due from the facility but which are specifically disputed by the contractor. If the judicial or administrative remedy sought by the facility is not granted after all appeals are exhausted or mutually terminated, the facility shall make payment of such amounts due plus interest accrued from the date of filing of the appeal, as payable on judgments, within sixty days of the date such decision is made.

Sec. 2. Section 68, chapter 177, Laws of 1980 and RCW 74.46.680 are each amended to read as follows:

(1) On the effective date of a change of ownership the department's contract with the old owner shall be terminated. The old owner shall give the department ~~((thirty))~~ sixty days' written notice of such termination. When certificate of need and/or section 1122 approval is required pursuant to chapter 70.38 RCW and Part 100, Title 42 CFR, for the new owner to acquire the

facility, and the new owner wishes to continue to provide service to recipients without interruption, certificate of need and/or section 1122 approval shall be obtained before the old owner submits a notice of termination.

(2) If the new owner desires to participate in the cost-related reimbursement system, it shall meet the conditions specified in RCW 74.46.660 and shall submit a projected budget in accordance with RCW 74.46.670 no later than sixty days before the date of the change of ownership. The facility contract with the new owner shall be effective as of the date of the change of ownership.

Sec. 3. Section 69, chapter 177, Laws of 1980 as amended by section 36, chapter 67, Laws of 1983 1st ex. sess. and RCW 74.46.690 are each amended to read as follows:

(1) When a facility contract is terminated for any reason, the old contractor shall submit final reports as required by RCW 74.46.040. ~~((Payment for care provided during the final thirty days of service under a contract will be held until the contractor has filed a properly completed final cost report, an audit has been completed by the department, and final settlement has been determined, such settlement not to exceed ninety days following completion of the audit process:~~

~~(2) Following final settlement, a payment withheld pursuant to subsection (1) of this section will be sent to the contractor after any overpayment determined in connection with final settlement has been deducted. If the contractor contests the settlement determination in accordance with RCW 74.46.170, the department will hold the amount in dispute pending completion of the appeal process, but will release the balance of such payment to the contractor.~~

~~(3) The department will release a payment which would be withheld pursuant to subsection (1) of this section, provided a bond issued by a bonding company acceptable to the department is filed by the contractor. The bond shall:~~

~~(a) Be in an amount equal to the released payment;~~

~~(b) Be for a term sufficient to ensure effectiveness after final settlement and the exhaustion of administrative and judicial remedies;~~

~~(c) Provide that the full amount of the bond shall be paid to the department if a properly completed final audited cost report is not filed in accordance with this chapter, or if financial records supporting this record are not preserved and made available to the auditor; and~~

~~(d) Provide that an amount equal to any recovery the department determines is due from the contractor at settlement, but not exceeding the amount of the bond, shall be paid to the department in the event the contractor does not pay the refund within sixty days following receipt of written demand or the conclusion of administrative or judicial proceedings to contest settlement issues:~~

~~(4)) (2) Upon notification of a contract termination, the department shall determine by preliminary or final settlement calculations the amount of any overpayments made to the contractor, including overpayments disputed by the contractor. If preliminary or final settlements are unavailable for any period up to the date of contract termination, the department shall make a reasonable estimate of any overpayment or underpayments for such periods. The reasonable estimate shall be based upon prior period settlements, available audit findings, the projected impact of prospective rates, and other information available to the department.~~

~~(3) The old contractor shall provide security, in a form deemed adequate by the department, in the amount of determined and estimated overpayments, whether or not the overpayments are the subject of good faith dispute. Security shall consist of:~~

~~(a) Withheld payments due the contractor; or~~

~~(b) A surety bond issued by a bonding company acceptable to the department; or~~

~~(c) An assignment of funds to the department; or~~

~~(d) Collateral acceptable to the department; or~~

~~(e) A purchaser's assumption of liability for the prior contractor's overpayment; or~~

~~(f) Any combination of (a), (b), (c), (d), or (e) of this subsection.~~

~~(4) A surety bond or assignment of funds shall:~~

~~(a) Be at least equal in amount to determined or estimated overpayments, whether or not the subject of good faith dispute, minus withheld payments;~~

~~(b) Be issued or accepted by a bonding company or financial institution licensed to transact business in Washington state;~~

~~(c) Be for a term sufficient to ensure effectiveness after final settlement and the exhaustion of administrative and judicial remedies; PROVIDED, That the bond or assignment shall initially be for a term of five years, and shall be forfeited if not renewed thereafter in an amount equal to any remaining overpayment in dispute;~~

~~(d) Provide that the full amount of the bond or assignment, or both, shall be paid to the department if a properly completed final cost report is not filed in accordance with this chapter, or if financial records supporting this report are not preserved and made available to the auditor; and~~

~~(e) Provide that an amount equal to any recovery the department determines is due from the contractor at settlement, but not exceeding the amount of the bond and assignment, shall be paid to the department if the contractor does not pay the refund within sixty days following~~



receipt of written demand or the conclusion of administrative or judicial proceedings to contest settlement issues.

(5) The department shall release any payment withheld as security if alternate security is provided under subsection (3) of this section in an amount equivalent to determined and estimated overpayments.

(6) If the total of withheld payments, bonds, and assignments is less than the total of determined and estimated overpayments, the unsecured amount of such overpayments shall be a debt due the state and shall become a lien against the real and personal property of the contractor from the time of filing by the department with the county auditor of the county where the contractor resides or owns property, and the lien claim has preference over the claims of all unsecured creditors.

(7) The contractor shall file a properly completed final cost report in accordance with the requirements of this chapter, which shall be audited by the department. A final settlement shall be determined within ninety days following completion of the audit process, including any administrative review of the audit requested by the contractor.

(8) Following determination of settlement for all periods, security held pursuant to this section shall be released to the contractor after overpayments determined in connection with final settlement have been paid by the contractor. If the contractor contests the settlement determination in accordance with RCW 74.46.170, the department shall hold the security, not to exceed the amount of estimated unrecovered overpayments being contested, pending completion of the administrative appeal process.

(9) If, after calculation of settlements for any periods, it is determined that overpayments exist in excess of the value of security held by the state, the department may seek recovery of these additional overpayments as provided by law.

(10) If a contract is terminated solely in order for the same owner to contract with the department to deliver services to another classification of medical care recipients at the same facility, the contractor is not required to submit final cost reports, and (~~payment for the final thirty days will not be withheld~~) security shall not be required.

Sec. 4. Section 4, chapter 177, Laws of 1980 as amended by section 1, chapter 67, Laws of 1983 1st ex. sess. and RCW 74.46.040 are each amended to read as follows:

(1) Not later than March 31 (~~1982, and~~) of each year (~~thereafter~~), each contractor shall submit to the department an annual cost report (~~and such financial statements as are required by this chapter~~;) for the period from January 1st through December 31st of the preceding year.

(2) Not later than one hundred twenty days following the termination of a contract, the contractor shall submit to the department a cost report (~~and financial statements as are required by this chapter~~;) for the period from January 1st through the date the contract terminated.

(3) Two extensions of not more than thirty days each may be granted by the department upon receipt of a written request setting forth the circumstances which prohibit the contractor from compliance with a report due date; except, that the secretary shall establish the grounds for extension in rule and regulation. Such request must be received by the department at least ten days prior to the due date.

Sec. 5. Section 5, chapter 177, Laws of 1980 and RCW 74.46.050 are each amended to read as follows:

If (~~either~~) the cost report (~~or the financial statements are~~) is not properly completed or if (~~they are~~) it is not received by the due date, all or part of any payments due under the contract may be withheld by the department until such time as the required cost report (~~and financial statements are~~) is properly completed and received.

Sec. 6. Section 6, chapter 177, Laws of 1980 as amended by section 2, chapter 67, Laws of 1983 1st ex. sess. and RCW 74.46.060 are each amended to read as follows:

(1) Cost reports shall be prepared in a standard manner and form, as determined by the department, which shall provide for (~~financial statements~~;) an itemized list of allowable costs (:) and a preliminary settlement report. Costs reported shall be determined in accordance with generally accepted accounting principles, the provisions of this chapter, and such additional rules and regulations as are established by the secretary.

(2) (~~All financial statements of a contractor must be prepared in accordance with generally accepted accounting principles, the provisions of this chapter, and such additional rules and regulations as are established by the secretary.~~)

(3) The records shall be maintained on the accrual method of accounting and agree with or be reconcilable to the cost report (~~and the financial statements~~).

Sec. 7. Section 8, chapter 177, Laws of 1980 as amended by section 3, chapter 67, Laws of 1983 1st ex. sess. and RCW 74.46.080 are each amended to read as follows:

(1) All records supporting the required cost reports (~~and financial statements~~), as well as trust funds established by RCW 74.46.700, shall be retained by the contractor for a period of four years following the filing of such reports at a location in the state of Washington specified by the contractor. All records supporting the cost reports and financial statements filed with the department before the effective date of this 1985 act shall be retained by the contractor for four years following their filing.

The department may direct ~~((such)) supporting~~ records to be retained for a longer period if there remain unresolved questions on the cost reports ~~((and financial statements))~~. All such records shall be made available upon demand to authorized representatives of the department, the office of the state auditor, and the United States department of health and human services.

(2) When a contract is terminated, all payments due will be withheld until accessibility and preservation of the records within the state of Washington are assured.

Sec. 8. Section 9, chapter 177, Laws of 1980 and RCW 74.46.090 are each amended to read as follows:

The department will retain the required cost reports ~~((and financial statements))~~ for a period of one year after final settlement, or the period required under ~~((the provisions of))~~ chapter 40.14 RCW, whichever is ~~((greater)) longer~~.

Sec. 9. Section 10, chapter 177, Laws of 1980 as amended by section 4, chapter 67, Laws of 1983 1st ex. sess. and RCW 74.46.100 are each amended to read as follows:

The principles inherent within RCW 74.46.105 and 74.46.130 are:

(1) To ascertain, through department audit, that the costs for each year are accurately reported, thereby providing a valid basis for future rate determination;

(2) To ascertain, through department audits of the cost reports, that cost reports properly reflect the financial ~~((statements)) records~~ of the contractor, particularly as they pertain to related organizations and beneficial ownership, thereby providing a valid basis for the determination of return as specified by this chapter;

(3) To ascertain, through department audit that compliance with the accounting and auditing provisions of this chapter and the rules and regulations of the department as they pertain to these accounting and auditing provisions is proper and consistent; and

(4) To ascertain, through department audits, that the responsibility of the contractor has been met in the maintenance of patient trust funds.

Sec. 10. Section 5, chapter 67, Laws of 1983 1st ex. sess. and RCW 74.46.105 are each amended to read as follows:

Cost reports ~~((financial and statistical records;))~~ and patient trust accounts of contractors shall be field audited by the department, either by department staff or by auditors under contract to the department, in accordance with the provisions of this chapter. The department when it deems necessary to assure the accuracy of cost reports may review any underlying financial statements or other records upon which the cost reports are based. The department shall have the authority to accept or reject audits which fail to satisfy the requirements of this section or which are performed by auditors who violate any of the rules of this section. Department audits of the cost reports and patient trust accounts shall be conducted as follows:

(1) Each year the department will provide for field audit of the cost report, ~~((financial and))~~ statistical reports, and patient trust funds, as established by RCW 74.46.700, of all or a sample of reporting facilities selected by profiles of costs, exceptions, contract terminations, upon special requests or other factors determined by the department.

(2) Beginning with audits for calendar year 1983, up to one hundred percent of contractors cost reports and patient care trust fund accounts shall be audited: PROVIDED, That each contractor shall be audited at least once in every three-year period.

(3) Facilities shall be selected for sample audits within one hundred twenty days of submission of a correct and complete cost report, and shall be so informed of the department's intent to audit. Audits so scheduled shall be completed within one year of selection.

(4) Where an audit for a recent reporting or trust fund period discloses material discrepancies, undocumented costs or mishandling of patient trust funds, auditors may examine prior unaudited periods, for indication of similar material discrepancies, undocumented costs or mishandling of patient trust funds for not more than two reporting periods preceding the facility reporting period selected in the sample.

(5) The audit will result in a schedule summarizing appropriate adjustments to the contractor's cost report. These adjustments will include an explanation for the adjustment, the general ledger account or account group, and the dollar amount. Patient trust fund audits shall be reported separately and in accordance with RCW 74.46.700.

(6) Audits shall meet generally accepted auditing standards as promulgated by the American institute of certified public accountants and the standards for audit of governmental organizations, programs, activities and functions as published by the comptroller general of the United States. Audits shall be supervised or reviewed by a certified public accountant.

(7) No auditor under contract with or employed by the department to perform audits in accordance with the provisions of this chapter shall:

(a) Have had direct or indirect financial interest in the ownership, financing or operation of a nursing home in this state during the period covered by the audits;

(b) Acquire or commit to acquire any direct or indirect financial interest in the ownership, financing or operation of a nursing home in this state during said auditor's employment or contract with the department;

(c) Accept as a client any nursing home in this state during or within two years of termination of said auditor's contract or employment with the department.

(8) Audits shall be conducted by auditors who are otherwise independent as determined by the standards of independence established by the American institute of certified public accountants.

(9) All audit rules adopted after March 31, 1984, shall be published before the beginning of the cost report year to which they apply.

Sec. 11. Section 13, chapter 177, Laws of 1980 as amended by section 7, chapter 67, Laws of 1983 1st ex. sess. and RCW 74.46.130 are each amended to read as follows:

(1) For the requirements of RCW 74.46.105, the contractor shall be notified by the department at least ten working days in advance of the engagement. Upon such notification, the contractor shall:

(a) Provide access to the facility, all records, and all working papers which are in support of the cost report (~~(and financial statements);~~) and patient trust funds; and

(b) Prepare reconciliation of the cost report (~~(and financial statements)~~) with (i) applicable federal income and federal and state payroll tax returns and (ii) the records for the period covered by the cost report (~~(and financial statements)~~).

(2) To facilitate department audit, the owner or administrator of a facility shall designate and make available an individual or individuals to respond to questions and requests for information from auditors. The designated individual or individuals shall have sufficient knowledge of the issue or function to provide accurate information.

Sec. 12. Section 16, chapter 177, Laws of 1980 as amended by section 9, chapter 67, Laws of 1983 1st ex. sess. and RCW 74.46.160 are each amended to read as follows:

(1) Within one hundred twenty days after receipt of the proposed preliminary settlement, the department shall verify the accuracy of the proposal and shall issue a preliminary settlement report by cost center to the contractor which fully substantiates disallowed costs, refunds, underpayments, or adjustments to the proposed preliminary settlement.

(2) After completion of the audit process, including exhaustion or mutual termination of reviews and appeals of audit findings or determinations, the department will submit a final settlement report by cost center to the contractor which fully substantiates disallowed costs, refunds, underpayments, or adjustments to the contractor's (~~(financial statements and)~~) cost report. Where the contractor is pursuing judicial or administrative review or appeal in good faith regarding audit findings or determinations, the department may issue a partial final settlement to recover overpayments based on audit adjustments not in dispute.

Sec. 13. Section 23, chapter 67, Laws of 1983 1st ex. sess. and RCW 74.46.475 are each amended to read as follows:

(1) The department shall analyze the submitted cost report (~~(and financial statements)~~) of each contractor to determine if the information is correct, complete, and reported in conformance with generally accepted accounting principles, the requirements of this chapter and such rules and regulations as the secretary may adopt. If the analysis finds that the cost report (~~(or financial statements are)~~) is incorrect or incomplete, the department may make adjustments to the reported information for purposes of establishing reimbursement rates. A schedule of such adjustments shall be provided to contractors and shall include an explanation for the adjustment and the dollar amount of the adjustment. Adjustments shall be subject to review and appeal as provided in this chapter.

(2) The department shall accumulate data from properly completed cost reports (~~(and financial statements)~~) for use in:

(a) Exception profiling; and

(b) Establishing rates.

(3) The department may further utilize such accumulated data for analytical, statistical, or informational purposes as necessary.

Sec. 14. Section 82, chapter 177, Laws of 1980 as amended by section 41, chapter 67, Laws of 1983 1st ex. sess. and RCW 74.46.820 are each amended to read as follows:

(1) Cost reports and their final audit reports shall be subject to public disclosure pursuant to the requirements of chapter 42.17 RCW. Notwithstanding any other provision of law, (~~(financial statements)~~) cost report schedules showing information on rental or lease of assets, the facility or corporate balance sheet, schedule of changes in financial position, statement of changes in equity-fund balances, notes to financial statements, and any accompanying schedules summarizing the adjustments to a contractor's financial records, reports on review of internal control and accounting procedures, and letters of comments or recommendations relating to suggested improvements in internal control or accounting procedures which are prepared pursuant to the requirements of this chapter shall be exempt from public disclosure.

This subsection does not prevent a contractor from having access to his own records or from authorizing an agent or designee to have access to the contractor's records.

(2) Regardless of whether any document or report submitted to the secretary pursuant to this chapter is subject to public disclosure, copies of such documents or reports shall be provided by the secretary, upon written request, to the legislature and to state agencies or state or local law enforcement officials who have an official interest in the contents thereof.

Sec. 15. Section 46, chapter 177, Laws of 1980 as last amended by section 21, chapter 67, Laws of 1983 1st ex. sess. and RCW 74.46.460 are each amended to read as follows:

(1) Each contractor's reimbursement rates will be determined prospectively at least once each calendar year, to be effective July 1st.

(2) Rates may be adjusted as determined by the department to take into account variations of more than ten percent in the distribution of patient classifications or changes in patient characteristics from the prior reporting year, program changes required by the department, or changes in staffing levels at a facility required by the department~~((economic trends and conditions, and/or administrative review provided by RCW 74.46.780 and))~~. Rates shall be adjusted for any capitalized additions or replacements made as a condition for licensure or certification.

(3) Where the contractor participated in the provisions of prospective cost-related reimbursement in effect prior to July 1, 1983, such contractor's prospective rate effective July 1, 1983, will be determined utilizing the contractor's desk-reviewed allowable costs for calendar year 1982.

(4) All prospective reimbursement rates for 1984 and thereafter shall be determined utilizing the prior year's desk-reviewed cost reports.

Sec. 16, Section 2, chapter 177, Laws of 1980 as amended by section 1, chapter 117, Laws of 1982 and RCW 74.46.020 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Accrual method of accounting' means a method of accounting in which revenues are reported in the period when they are earned, regardless of when they are collected, and expenses are reported in the period in which they are incurred, regardless of when they are paid.

(2) 'Ancillary care' means those services required by the individual, comprehensive plan of care provided by qualified therapists.

(3) 'Appraisal' means the process of estimating the fair market value or reconstructing the historical cost of an asset acquired in a past period as performed by a professionally designated real estate appraiser with no pecuniary interest in the property to be appraised. It includes a systematic, analytic determination and the recording and analyzing of property facts, rights, investments, and values based on a personal inspection and inventory of the property.

(4) 'Arm's-length transaction' means a transaction resulting from good-faith bargaining between a buyer and seller who are not related organizations and have adverse positions in the market place. Sales or exchanges of nursing home facilities among two or more parties in which all parties subsequently continue to own one or more of the facilities involved in the transactions shall not be considered as arm's-length transactions for purposes of this chapter. Sale of a nursing home facility which is subsequently leased back to the seller within five years of the date of sale shall not be considered as an arm's-length transaction for purposes of this chapter.

(5) 'Assets' means economic resources of the contractor, recognized and measured in conformity with generally accepted accounting principles.

(6) 'Bad debts' means amounts considered to be uncollectable from accounts and notes receivable.

(7) 'Beds' means the number of set-up beds in the facility, not to exceed the number of licensed beds.

(8) 'Beneficial owner' means:

(a) Any person who, directly or indirectly, through any contract, arrangement, understanding, relationship, or otherwise has or shares:

(i) Voting power which includes the power to vote, or to direct the voting of such ownership interest; and/or

(ii) Investment power which includes the power to dispose, or to direct the disposition of such ownership interest;

(b) Any person who, directly or indirectly, creates or uses a trust, proxy, power of attorney, pooling arrangement, or any other contract, arrangement, or device with the purpose or effect of divesting himself of beneficial ownership of an ownership interest or preventing the vesting of such beneficial ownership as part of a plan or scheme to evade the reporting requirements of this chapter;

(c) Any person who, subject to subparagraph (b) of this subsection, has the right to acquire beneficial ownership of such ownership interest within sixty days, including but not limited to any right to acquire:

(i) Through the exercise of any option, warrant, or right;

(ii) Through the conversion of an ownership interest;

(iii) Pursuant to the power to revoke a trust, discretionary account, or similar arrangement;

or  
(iv) Pursuant to the automatic termination of a trust, discretionary account, or similar arrangement;

except that, any person who acquires an ownership interest or power specified in subparagraphs (i), (ii), or (iii) of this subparagraph (c) with the purpose or effect of changing or influencing the control of the contractor, or in connection with or as a participant in any transaction

having such purpose or effect, immediately upon such acquisition shall be deemed to be the beneficial owner of the ownership interest which may be acquired through the exercise or conversion of such ownership interest or power:

(d) Any person who in the ordinary course of business is a pledgee of ownership interest under a written pledge agreement shall not be deemed to be the beneficial owner of such pledged ownership interest until the pledgee has taken all formal steps necessary which are required to declare a default and determines that the power to vote or to direct the vote or to dispose or to direct the disposition of such pledged ownership interest will be exercised; except that:

(i) The pledge agreement is bona fide and was not entered into with the purpose nor with the effect of changing or influencing the control of the contractor, nor in connection with any transaction having such purpose or effect, including persons meeting the conditions set forth in subparagraph (b) of this subsection; and

(ii) The pledge agreement, prior to default, does not grant to the pledgee:

(A) The power to vote or to direct the vote of the pledged ownership interest; or

(B) The power to dispose or direct the disposition of the pledged ownership interest, other than the grant of such power(s) pursuant to a pledge agreement under which credit is extended and in which the pledgee is a broker or dealer.

(9) 'Capitalization' means the recording of an expenditure as an asset.

(10) 'Contractor' means an entity which contracts with the department to provide services to medical care recipients in a facility and which entity is responsible for operational decisions.

(11) 'Department' means the department of social and health services (DSHS) and its employees.

(12) 'Depreciation' means the systematic distribution of the cost or other basis of tangible assets, less salvage, over the estimated useful life of the assets.

(13) 'Direct care supplies' means medical, pharmaceutical, and other supplies required for the direct nursing and ancillary care of medical care recipients.

(14) 'Entity' means an individual, partnership, corporation, or any other association of individuals capable of entering enforceable contracts.

(15) 'Equity' means the net book value of all tangible and intangible assets less the recorded value of all liabilities, as recognized and measured in conformity with generally accepted accounting principles.

(16) 'Facility' means a nursing home licensed in accordance with chapter 18.51 RCW, or that portion of a hospital licensed in accordance with chapter 70.41 RCW which operates as a nursing home.

(17) 'Fair market value' means the replacement cost of an asset less observed physical depreciation on the date for which the market value is being determined.

(18) 'Financial statements' means statements prepared and presented in conformity with generally accepted accounting principles including, but not limited to, balance sheet, statement of operations, statement of changes in financial position, and related notes.

(19) 'Generally accepted accounting principles' means accounting principles approved by the financial accounting standards board (FASB).

(20) 'Generally accepted auditing standards' means auditing standards approved by the American institute of certified public accountants (AICPA).

(21) 'Goodwill' means the excess of the price paid for a business over the fair market value of all other identifiable, tangible, and intangible assets acquired.

(22) 'Historical cost' means the actual cost incurred in acquiring and preparing an asset for use, including feasibility studies, architect's fees, and engineering studies.

(23) 'Imprest fund' means a fund which is regularly replenished in exactly the amount expended from it.

(24) 'Joint facility costs' means any costs which represent resources which benefit more than one facility, or one facility and any other entity.

(25) 'Lease agreement' means a contract between two parties for the possession and use of real or personal property or assets for a specified period of time in exchange for specified periodic payments. Elimination (due to any cause other than death or divorce) or addition of any party to the contract, expiration, or modification of any lease term in effect on January 1, 1980, or termination of the lease by either party by any means shall constitute a termination of the lease agreement. An extension or renewal of a lease agreement, whether or not pursuant to a renewal provision in the lease agreement, shall be considered a new lease agreement. A strictly formal change in the lease agreement which modifies the method, frequency, or manner in which the lease payments are made, but does not increase the total lease payment obligation of the lessee, shall not be considered modification of a lease term.

(26) 'Medical care program' means medical assistance provided under RCW 74.09.500 or authorized state medical care services.

~~((26))~~ (27) 'Medical care recipient' or 'recipient' means an individual determined eligible by the department for the services provided in chapter 74.09 RCW.

~~((27))~~ (28) 'Net book value' means the historical cost of an asset less accumulated depreciation.

((28)) (29) 'Net invested funds' means the net book value of tangible fixed assets employed by a contractor to provide services under the medical care program, including land, buildings, and equipment as recognized and measured in conformity with generally accepted accounting principles, plus an allowance for working capital which shall be five percent of the allowable costs of each contractor for the previous calendar year.

((29)) (30) 'Operating lease' means a lease under which rental or lease expenses are included in current expenses in accordance with generally accepted accounting principles.

((30)) (31) 'Owner' means a sole proprietor, general or limited partners, and beneficial interest holders of five percent or more of a corporation's outstanding stock.

((31)) (32) 'Ownership interest' means all interests beneficially owned by a person, calculated in the aggregate, regardless of the form which such beneficial ownership takes.

((32)) (33) 'Patient day' or 'client day' means a calendar day of care which will include the day of admission and exclude the day of discharge; except that, when admission and discharge occur on the same day, one day of care shall be deemed to exist.

((33)) (34) 'Professionally designated real estate appraiser' means an individual who is regularly engaged in the business of providing real estate valuation services for a fee, and who is deemed qualified by a nationally recognized real estate appraisal educational organization on the basis of extensive practical appraisal experience, including the writing of real estate valuation reports as well as the passing of written examinations on valuation practice and theory, and who by virtue of membership in such organization is required to subscribe and adhere to certain standards of professional practice as such organization prescribes.

((34)) (35) 'Qualified therapist' means:

(a) An activities specialist who has specialized education, training, or experience as specified by the department;

(b) An audiologist who is eligible for a certificate of clinical competence in audiology or who has the equivalent education and clinical experience;

(c) A mental health professional as defined by chapter 71.05 RCW;

(d) A mental retardation professional who is either a qualified therapist or a therapist approved by the department who has had specialized training or one year's experience in treating or working with the mentally retarded or developmentally disabled;

(e) A social worker who is a graduate of a school of social work;

(f) A speech pathologist who is eligible for a certificate of clinical competence in speech pathology or who has the equivalent education and clinical experience;

(g) A physical therapist as defined by chapter 18.74 RCW; and

(h) An occupational therapist who is a graduate of a program in occupational therapy, or who has the equivalent of such education or training.

((35)) (36) 'Questioned costs' means those costs which have been determined in accordance with generally accepted accounting principles but which may constitute disallowed costs or departures from the provisions of this chapter or rules and regulations adopted by the department.

((36)) (37) 'Records' means those data supporting all financial statements and cost reports including, but not limited to, all general and subsidiary ledgers, books of original entry, and transaction documentation, however such data are maintained.

((37)) (38) 'Related organization' means an entity which is under common ownership and/or control with, or has control of, or is controlled by, the contractor.

(a) 'Common ownership' exists when an entity is the beneficial owner of five percent or more ownership interest in the contractor and any other entity.

(b) 'Control' exists where an entity has the power, directly or indirectly, significantly to influence or direct the actions or policies of an organization or institution, whether or not it is legally enforceable and however it is exercisable or exercised.

((38)) (39) 'Restricted fund' means those funds the principal and/or income of which is limited by agreement with or direction of the donor to a specific purpose.

((39)) (40) 'Secretary' means the secretary of the department of social and health services.

((40)) (41) 'Title XIX' or 'Medicaid' means the 1965 amendments to the social security act, P.L. 89-07, as amended.

Sec. 17, Section 53, chapter 177, Laws of 1980 as last amended by section 28, chapter 67, Laws of 1983 1st ex. sess. and RCW 74.46.530 are each amended to read as follows:

(1) The department shall establish for individual facilities return on investment allowances composed of two parts: A financing allowance and a variable return allowance.

(a) The financing allowance shall be determined by multiplying the net invested funds of each facility by .11, and dividing by the contractor's total patient days. If a capitalized addition or retirement of an asset will result in a different licensed bed capacity during the ensuing period, the prior period total patient days used in computing the financing and variable return allowances shall be adjusted to the anticipated patient day level.

(b) In computing the portion of net invested funds representing the net book value of tangible fixed assets, the same assets, depreciation bases, lives, and methods referred to in RCW

74.46.330, 74.46.350, 74.46.360, and 74.46.370, including owned and leased assets, shall be utilized, except that the capitalized cost of land upon which the facility is located and such other contiguous land which is reasonable and necessary for use in the regular course of providing patient care shall also be included. In the case of leased facilities where the net invested funds are unknown or the contractor is unable to provide necessary information to determine net invested funds, the secretary shall have the authority to determine an amount for net invested funds based on an appraisal conducted according to RCW 74.46.360(1).

(c) In determining the variable return allowance:

(i) The department will first rank all facilities in numerical order from highest to lowest according to their average per diem allowable costs for the sum of the administration and operations and property cost centers for the previous cost report period.

(ii) The department shall then compute the variable return allowance by multiplying the appropriate percentage amounts, which shall not be less than one percent and not greater than four percent, by the total prospective rate for each facility, as determined in RCW 74.46.450 through 74.46.510. The percentage amounts will be based on groupings of facilities according to the rankings as established in subparagraph (2)(b)(i) of this section. Those groups of facilities with lower per diem costs shall receive higher percentage amounts than those with higher per diem costs.

(d) The sum of the financing allowance and the variable return allowance shall be the return on investment for each facility, and shall be added to the prospective rates of each contractor as determined in RCW 74.46.450 through 74.46.510.

(e) In the case of a facility which was leased by the contractor as of January 1, 1980, in an arm's-length agreement, which continues to be leased under the same lease agreement, and for which the annualized lease payment, plus any interest and depreciation expenses associated with contractor-owned assets, for the period covered by the prospective rates, divided by the contractor's total patient days, minus the property cost center determined according to RCW 74.46.510, is more than the return on investment allowance determined according to subsection (1)(d) of this section, the following shall apply:

(i) The financing allowance shall be recomputed substituting the fair market value of the assets as of January 1, 1982, as determined by the department of general administration through an appraisal procedure, less accumulated depreciation on the lessor's assets since January 1, 1982, for the net book value of the assets in determining net invested funds for the facility. A determination by the department of general administration of fair market value shall be final unless the procedure used to make such determination is shown to be arbitrary and capricious.

(ii) The sum of the financing allowance computed under subsection (1)(e)(i) of this section and the variable allowance shall be compared to the annualized lease payment, plus any interest and depreciation expenses associated with contractor-owned assets, for the period covered by the prospective rates, divided by the contractor's total patient days, minus the property cost center rate determined according to RCW 74.46.510. The lesser of the two amounts shall be called the alternate return on investment allowance.

(iii) The return on investment allowance determined according to subsection (1)(d) of this section or the alternate return on investment allowance, whichever is greater, shall be the return on investment allowance for the facility and shall be added to the prospective rates of the contractor as determined in RCW 74.46.450 through 74.46.510.

(f) In the case of a facility which was leased by the contractor as of January 1, 1980, in an arm's-length agreement, if the lease is renewed or extended pursuant to a provision of the lease, the treatment provided in subsection (1)(e) of this section shall be applied except that in the case of renewals or extensions made subsequent to April 1, 1985, reimbursement for the annualized lease payment shall be no greater than the reimbursement for the annualized lease payment for the last year prior to the renewal or extension of the lease.

(2) In the event that the department of health and human services disallows the application of the return on investment allowances to nonprofit facilities, the department shall modify the measurements of net invested funds used for computing individual facility return on investment allowances as follows: Net invested funds for each nonprofit facility shall be multiplied by one minus the ratio of equity funds to the net invested funds of all nonprofit facilities.

(3) Each biennium, beginning in 1985, the secretary shall review the adequacy of return on investment allowances in relation to anticipated requirements for maintaining, reducing, or expanding nursing care capacity. The secretary shall report the results of such review to the legislature and make recommendations for adjustments in the return on investment rates utilized in this section, if appropriate.

Sec. 18. Section 42, chapter 177, Laws of 1980 as amended by section 18, chapter 67, Laws of 1983 1st ex. sess. and RCW 74.46.420 are each amended to read as follows:

The following principles are inherent in RCW 74.46.430 through 74.46.590:

(1) Reimbursement rates will be set prospectively on a per patient day basis; and

(2) ~~((Rates established in accordance with this chapter shall be reasonable and adequate to meet the costs that must be incurred by economically and efficiently operated facilities to~~

~~provide services which meet the needs of a medical care recipient in compliance with applicable standards; and~~

(3)) The rates so established will be adjusted for economic conditions and trends in accordance with appropriations made by the legislature as consistent with federal requirements for the period to be covered by such rates.

NEW SECTION. Sec. 19. Section 52, chapter 177, Laws of 1980, section 148, chapter 7, Laws of 1985 and RCW 74.46.520 are each repealed.

NEW SECTION. Sec. 20. This act shall not be construed as affecting any existing right acquired or any obligation or liability incurred under the statutes amended or repealed by this act or any rule, regulation, or order adopted under those sections, nor as affecting any proceeding instituted under those sections.

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."

On page 1, line 5 of the title, after "section;" strike "and repealing RCW 74.46.520" and insert "repealing RCW 74.46.520; and declaring an emergency"

Signed by Representatives Grimm, Chair; Appelwick, Vice Chair; Braddock, Basich, Brekke, Bristow, Hastings, Hine, Holland, J. King, Locke, Long, Madsen, G. Nelson, Niemi, Rust, Sanders, Sayan, Silver, L. Smith, Smitherman, Sommers, Taylor, Tilly, Vander Stoep and B. Williams.

Passed to Committee on Rules for second reading.

April 5, 1985

ESSB 3413 Prime Sponsor, Committee on Commerce & Labor: Requiring a study of the business license system. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

\*NEW SECTION. Sec. 1. The board of review for the business license center, with the assistance of the business license center, shall conduct a study of business licenses and develop a comprehensive plan outlining:

(1) What business licenses should be included within the system with specific time lines for their inclusion;

(2) The appropriate funding mechanism to support the business license center's activities; and

(3) Recommendations on the most effective and appropriate manner to develop cooperative agreements among state agencies with licenses within the system, with special emphasis on appropriate data base sharing.

This section does not apply to licenses required under chapter 9.46 RCW or under chapter 67.16 RCW.

The board shall submit its report to the legislature by December 1, 1985.

Sec. 2. Section 4, chapter 319, Laws of 1977 ex. sess. as last amended by section 5, chapter 182, Laws of 1982 and RCW 19.02.040 are each amended to read as follows:

(1) There is hereby created a board of review to provide policy direction and technical assistance to the department of licensing as it establishes and operates the business registration and licensing system. The board of review shall be composed of the following (~~officials or their designees~~):

(a) Director, department of revenue;

(b) Director, department of labor and industries;

(c) Commissioner, employment security department;

(d) Director, department of agriculture;

(e) Director, department of commerce and economic development;

(f) Director, department of licensing;

~~((g) Director, office of financial management;~~

~~(h) Chairman, liquor control board;~~

~~(i) Secretary, department of social and health services;~~

~~(j)) (g) Secretary of state;~~

~~((k)) (h) The governor; and~~

~~((l) As ex officio members:~~

~~(i) The president of the senate or the president's designee;~~

~~(ii) The speaker of the house or the speaker's designee; and~~

~~(iii) A) (i) Eight representatives of ((a recognized state-wide organization of employers;))~~

private industry representing a large cross-section of the Washington business community, to be appointed by the governor.



(2) ~~((The governor shall be the chairperson. In the governor's absence, the secretary of state shall act as chairperson.))~~ The governor shall designate which member shall serve as chairperson.

(3) The board shall meet at the call of the chairperson at least semi-annually or at the call of a member to:

- (a) Establish interagency policy guidelines for the system;
- (b) Review the findings, status, and problems of system operations and recommend courses of action;
- (c) Receive reports from industry and agency task forces;
- (d) Determine in questionable cases whether a specific license is to be included in the master license system;
- (e) Review and make recommendations on rules proposed by the business license center and any amendments to or revisions of the center's rules.

(4) The board shall submit a report to the legislature each biennium identifying the licenses that the board believes should be added to the list of those processed under the master license system.

Sec. 3. Section 13, chapter 182, Laws of 1982 and RCW 19.02.038 are each amended to read as follows:

The business license center shall, with the assistance and full cooperation of the board of review ~~((conclude the following tasks by the dates indicated))~~:

(1) ~~((By February 1, 1982.))~~ Ensure that packets containing the forms for the use of the master licensing system, as well as forms for those licenses commonly needed to begin most kinds of businesses, and materials explaining the use of the forms, the system, and the center are available at each headquarters and each field office of the departments of revenue, employment security, labor and industry, and licensing and at the office of the secretary of state;

(2) ~~((By July 1, 1982, revise))~~ Prepare the application forms distributed in subsection (1) of this section such that all of the forms have a common format;

(3) ~~((By January 1, 1983.))~~  
~~((a))~~ Identify and maintain a list of those licenses needed to begin most kinds of businesses in the state that should be consolidated and processed under the master license system;

~~((b))~~ (4) Develop and maintain a checklist for each major category of industry that identifies the license renewal requirements for licenses not included in the master license system;

~~((c))~~ (5) Identify a schedule for implementing the long-range goals of the business license center, including the use of a common data base by state agencies;

~~((d))~~ (6) For licenses not processed under the master license system and for which renewal fees are fixed rather than variable, develop a schedule for processing the licenses under the system;

~~((e))~~ (7) Authorize those offices of the various county auditors that are served by automated fee deposit systems to act as agents for the center to collect fees payable under the master license system;

~~((4))~~ ~~By July 1, 1983.~~  
~~((a))~~ (8) Assign a common business identifier to each master license system account for use by all state agencies;

~~((b))~~ (9) Develop a common format for issuing all licenses to businesses for which inspections are not required; ~~((and))~~

~~((5))~~ (10) By June 30, 1985, use the computer services of an agency of the state that has been designated as the state's principal computer services agency, if one has been so designated; and

(11) ~~By January 1, 1986, provide a master license and assign a common business identifier to any person requesting to be registered with the department of revenue under RCW 82.32.030 and provide, where lawful, any other license requested by the person that is available as of the date the master application is received, from the business license center.~~

On page 1, line 1 of the title, after "center," strike the remainder of the title and insert "amending RCW 19.02.038 and 19.02.040; and creating a new section."

Signed by Representatives McMullen, Chair; Kremen, Vice Chair; Day, Dobbs, Doty, Hargrove, May, Rayburn, Schmidt, Schron, Scott, Silver, L. Smith, Smitherman, Tanner, Thomas, van Dyke, Vekich, B. Williams and Wineberry.

Voting nay: Representatives Braddock, J. King, Lundquist and Niemi.

Passed to Committee on Rules for second reading.

April 5, 1985

SSB 3414

Prime Sponsor, Committee on Commerce & Labor: Enforcing the regulatory fairness act. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 7, chapter 234, Laws of 1959 as amended by section 8, chapter 6, Laws of 1982 and RCW 34.04.070 are each amended to read as follows:

(1) The validity of any rule may be determined upon petition for a declaratory judgment thereon addressed to the superior court of Thurston county, when it appears that the rule, or its threatened application, interferes with or impairs or immediately threatens to interfere with or impair, the legal rights or privileges of the petitioner. The agency shall be made a party to the proceeding. The declaratory judgment may be rendered whether or not the petitioner has first requested the agency to pass upon the validity of the rule in question.

(2) In a proceeding under subsection (1) of this section the court shall declare the rule invalid only if it finds that it violates constitutional provisions or exceeds the statutory authority of the agency or was adopted without compliance with statutory rule-making procedures, including the provisions of chapter 19.85 RCW.

(3) A petition for a declaratory judgment pursuant to this section may not be solely based on the contents of the small business economic impact statement. However, in the case of a petition for a declaratory judgment as to the validity of any rule which is adopted after June 10, 1982, and which is based on grounds other than the contents of the small business economic impact statement, the compliance or noncompliance by the agency with the provisions of this chapter and where applicable the small business economic impact statement shall constitute part of the whole record of the agency's action in connection with the petition.

Sec. 2. Section 7, chapter 324, Laws of 1981 and RCW 34.04.230 are each amended to read as follows:

(1) All rules required to be filed pursuant to RCW 34.04.040, and emergency rules adopted pursuant to RCW 34.04.030 as now or hereafter amended, are subject to selective review by the legislature.

(2) If the rules review committee finds by a majority vote of its members: (a) That an existing rule is not within the intent of the legislature as expressed by the statute which the rule implements, ~~((or))~~ (b) that the rule has not been adopted in accordance with the requirements of chapter 19.85 RCW, or (c) that the rule has not been adopted in accordance with all applicable provisions of law, the agency affected shall be notified of such finding and the reasons therefor. Within thirty days of the receipt of the rules review committee's notice, the agency shall file notice of a hearing on the rule in question with the code reviser and mail notice to all persons who have made timely request of the agency for advance notice of its rule-making proceedings as provided in RCW 34.04.025, as now or hereafter amended. The agency's notice shall include the rules review committee's findings and reasons therefor, and shall be published in the Washington state register in accordance with the provisions of chapter 34.08 RCW.

(3) The agency shall consider fully all written and oral submissions regarding whether the rule in question is within the intent of the legislature as expressed by the statute which the rule implements and whether the rule was adopted in accordance with all applicable provisions of law."

On page 1, line 1 of the title, after "fairness;" strike the remainder of the title and insert "and amending RCW 34.04.070 and 34.04.230."

Signed by Representatives McMullen, Chair; Kremen, Vice Chair; Day, Dobbs, Doty, Lundquist, May, Rayburn, Scott, Silver, Smitherman, Tanner, Thomas and van Dyke.

Voting nay: Representatives Braddock, Hargrove, J. King, Niemi, Schmidt, Schoon, L. Smith, Vekich, B. Williams and Wineberry.

Passed to Committee on Rules for second reading.

April 5, 1985

SSB 3442 Prime Sponsor, Committee on Governmental Operations: Establishing a fire service training revolving fund. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 28C.04 RCW to read as follows:

The commission for vocational education may: (1) Impose and collect fees for fire service training; and (2) establish and set fee schedules for fire service training."

On page 1, line 1 of the title, strike "new sections" and insert "a new section"

Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Brekke, Bristow, Hastings, Hine, Holland, J. King, Locke, Long, Madsen, G. Nelson, Niemi, Rust, Sanders, Sayan, Silver, L. Smith, Smitherman, Sommers, Taylor, Tilly, Vander Stoep and B. Williams.

Passed to Committee on Rules for second reading.

April 4, 1985

ESB 3444 Prime Sponsor, Senator Fleming: Establishing the higher education opportunities program. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass with the following amendment:  
On page 2, beginning on line 24 after "agency," strike all material through "universities." on line 25.

Signed by Representatives Sommers, Chair; Jacobsen, Vice Chair; Allen, Basich, Belcher, Miller, D. Nelson, G. Nelson, Prince, Silver, Unsoeld, K. Wilson and Wineberry.

Absent: Representative Vander Stoep.

Passed to Committee on Rules for second reading.

April 5, 1985

SB 3445 Prime Sponsor, Senator Fleming: Revising the county's power regarding park and recreation service areas. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Allen, Doty, Ebersole, Hine, May, Rayburn and Winsley.

MINORITY recommendation: Do not pass. Signed by Representatives Isaacson and Zellinsky.

Voting nay: Representatives Bristow, Brough, Isaacson, Patrick and Zellinsky.

Absent: Representative Smitherman.

Passed to Committee on Rules for second reading.

April 4, 1985

SSB 3448 Prime Sponsor, Committee on Education: Providing for seismic safety in school buildings. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Ebersole, Chair; Valle, Vice Chair; Appelwick, Cole, Fuhrman, Peery, Rayburn, Rust, L. Smith, Taylor, Todd and Walker.

Absent: Representatives Betzoff, Chandler, Holland, P. King, Long, Schoon, Walker and Wang.

Passed to Committee on Rules for second reading.

April 5, 1985

ESSB 3450 Prime Sponsor, Committee on Judiciary: Revising provisions relating to firearms. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendment:  
On page 3, line 27 after "employees" insert "while engaged in their employment"

Signed by Representatives Armstrong, Chair; Scott, Vice Chair, Appelwick, Crane, Dellwo, Hargrove, P. King, Lewis, Locke, G. Nelson, Niemi, Padden, Schmidt, Schoon, Tilly, Van Luven and West.

Absent: Representatives Appelwick, Niemi and Wang.

Passed to Committee on Rules for second reading.

April 4, 1985

SSB 3500 Prime Sponsor, Committee on Transportation: Regulating tourist and agricultural directional signs along state highways. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

\*NEW SECTION. Sec. 1. It is the intent of the legislature that state highway information and directional signs provide appropriate guidance to all motorists traveling throughout the state. Such guidance should include the identity, location, and types of recreational, cultural, educational, entertainment, or unique or unusual commercial activities whose principle source of visitation is derived from motorists not residing in the immediate locale of the activity. Such

informational and directional signs shall comply with Title 23, United States Code and the rules adopted by the department under RCW 47.42.060.

Sec. 2. Section 2, chapter 96, Laws of 1961 as last amended by section 222, chapter 7, Laws of 1984 and RCW 47.42.020 are each amended to read as follows:

The definitions set forth in this section apply throughout this chapter.

(1) 'Department' means the Washington state department of transportation.  
 (2) 'Erect' means to construct, build, raise, assemble, place, affix, attach, create, paint, draw, or in any other way bring into being or establish.  
 (3) 'Interstate system' means any state highway which is or does become part of the national system of interstate and defense highways as described in section 103(d) of title 23, United States Code.

(4) 'Maintain' means to allow to exist.

(5) 'Person' means this state or any public or private corporation, firm, partnership, association, as well as any individual or individuals.

(6) 'Primary system' means any state highway which is or does become part of the federal-aid primary system as described in section 103(b) of title 23, United States Code.

(7) 'Scenic system' means (a) any state highway within any public park, federal forest area, public beach, public recreation area, or national monument, (b) any state highway or portion thereof outside the boundaries of any incorporated city or town designated by the legislature as a part of the scenic system, or (c) any state highway or portion thereof outside the boundaries of any incorporated city or town designated by the legislature as a part of the scenic and recreational highway system except for the sections of highways specifically excluded in RCW 47.42.025.

(8) 'Sign' means any outdoor sign, display, device, figure, painting, drawing, message, placard, poster, billboard, or other thing that is designed, intended, or used to advertise or inform, any part of the advertising or informative contents of which is visible from any place on the main-traveled way of the interstate system or other state highway.

(9) 'Commercial and industrial areas' means any area zoned commercial or industrial by a county or municipal code, or if unzoned by a county or municipal code, that area occupied by three or more separate and distinct commercial or industrial activities, or any combination thereof, within a space of five hundred feet and the area within five hundred feet of such activities on both sides of the highway. The area shall be measured from the outer edges of the regularly used buildings, parking lots, or storage or processing areas of the commercial or industrial activity and not from the property lines of the parcels upon which the activities are located. Measurements shall be along or parallel to the edge of the main traveled way of the highway. The following shall not be considered commercial or industrial activities:

(a) Agricultural, forestry, grazing, farming, and related activities, including, but not limited to, roadside fresh produce stands;

(b) Transient or temporary activities;

(c) Railroad tracks and minor sidings;

(d) Signs;

(e) Activities more than six hundred and sixty feet from the nearest edge of the right of way;

(f) Activities conducted in a building principally used as a residence.

If any commercial or industrial activity that has been used in defining or delineating an unzoned area ceases to operate for a period of six continuous months, any signs located within the former unzoned area become nonconforming and shall not be maintained by any person.

(10) 'Specific information panel' means a panel, rectangular in shape, located in the same manner as other official traffic signs readable from the main traveled ways, and consisting of:

(a) The words 'GAS,' 'FOOD,' or 'LODGING' and directional information; and

(b) One or more individual business signs mounted on the panel.

(11) 'Business sign' means a separately attached sign mounted on the specific information panel or roadside area information panel to show the brand or trademark and name, or both, of the motorist service available on the crossroad at or near the interchange. Nationally, regionally, or locally known commercial symbols or trademarks for service stations, restaurants, and motels shall be used when applicable. The brand or trademark identification symbol used on the business sign shall be reproduced with the colors and general shape consistent with customary use. Any messages, trademarks, or brand symbols which interfere with, imitate, or resemble any official warning or regulatory traffic sign, signal, or device are prohibited.

(12) 'Roadside area information panel or display' means a panel or display located so as not to be readable from the main traveled way, erected in a safety rest area, scenic overlook, or similar roadside area, for providing motorists with information in the specific interest of the traveling public.

(13) 'Tourist-oriented directional sign' means a sign on a specific information panel on the state highway system to provide directional information to a qualified tourist-oriented business, service, or activity.

(14) 'Qualified tourist-oriented business' means any lawful cultural, historical, recreational, educational, or entertaining activity or a unique or unusual commercial or nonprofit activity,

the major portion of whose income or visitors are derived during its normal business season from motorists not residing in the immediate area of the activity.

(15) "Temporary agricultural directional sign" means a sign on private property adjacent to state highway right of way to provide directional information to places of business offering for sale seasonal agricultural products harvested or produced on the property where the sale is taking place.

Sec. 3. Section 4, chapter 96, Laws of 1961 as last amended by section 1, chapter 69, Laws of 1979 and RCW 47.42.040 are each amended to read as follows:

It is declared to be the policy of the state that no signs which are visible from the main traveled way of the interstate system, primary system, or scenic system shall be erected or maintained except the following types:

(1) Directional or other official signs or notices that are required or authorized by law;  
 (2) Signs advertising the sale or lease of the property upon which they are located;  
 (3) Signs advertising activities conducted on the property on which they are located;  
 (4) Signs, not inconsistent with the policy of this chapter and the national policy set forth in section 131 of title 23, United States Code as codified and enacted by Public Law 85-767 and amended only by section 106, Public Law 86-342, and the national standards promulgated thereunder by the secretary of commerce or the secretary of transportation, advertising activities being conducted at a location within twelve miles of the point at which such signs are located: PROVIDED, That no sign lawfully erected pursuant to this subsection adjacent to the interstate system and outside commercial and industrial areas shall be maintained by any person after three years from May 10, 1971;

(5) Signs, not inconsistent with the policy of this chapter and the national policy set forth in section 131 of title 23, United States Code as codified and enacted by Public Law 85-767 and amended only by section 106, Public Law 86-342, and the regulations promulgated thereunder by the secretary of commerce or the secretary of transportation, designed to give information in the specific interest of the traveling public: PROVIDED, That no sign lawfully erected pursuant to this subsection adjacent to the interstate system and outside commercial and industrial areas shall be maintained by any person after three years from May 10, 1971;

(6) Signs lawfully in existence on October 22, 1965, determined by the commission, subject to the approval of the United States secretary of transportation, to be landmark signs, including signs on farm structures or natural surfaces, of historic or artistic significance and the preservation of which would be consistent with the purposes of chapter 47.42 RCW; ((and))

(7) Public service signs, located on school bus stop shelters, which:  
 (a) Identify the donor, sponsor, or contributor of said shelters;  
 (b) Contain safety slogans or messages which occupy not less than sixty percent of the area of the sign;  
 (c) Contain no other message;  
 (d) Are located on school bus shelters which are authorized or approved by city, county, or state law, regulation, or ordinance, and at places approved by the city, county, or state agency controlling the highway involved; and  
 (e) Do not exceed thirty-two square feet in area. Not more than one sign on each shelter may face in any one direction.

Subsection (7) of this section notwithstanding, the department of transportation shall adopt regulations relating to the appearance of school bus shelters, the placement, size, and public service content of public service signs located thereon, and the prominence of the identification of the donors, sponsors, or contributors of the shelters.

(8) Temporary agricultural directional signs, with the following restrictions:

(a) Signs shall be posted only during the period of time the seasonal agricultural product is being sold;

(b) Signs shall not be placed adjacent to the interstate highway system unless the sign qualifies as an on-premise sign;

(c) Signs shall not be placed within an incorporated city or town;

(d) Premises on which the seasonal agricultural products are sold must be within fifteen miles of the state highway, and necessary supplemental signing on local roads must be provided before the installation of the signs on the state highway;

(e) Signs must be located so as not to restrict sight distances on approaches to intersections;

(f) The department shall establish a permit system and fee schedule and rules for the manufacturing, installation, and maintenance of these signs in accordance with the policy of this chapter;

(g) Signs in violation of these provisions shall be removed in accordance with the procedures in RCW 47.42.080.

Only signs of types 1, 2 ((and)), 3 ((shall)), 7, and 8 may be erected or maintained within view of the scenic system. Signs of types 7 and 8 may also be erected or maintained within view of the ((scenic system and the)) federal aid primary system.

Sec. 4. Section 4, chapter 80, Laws of 1974 ex. sess. as amended by section 224, chapter 7, Laws of 1984 and RCW 47.42.047 are each amended to read as follows:

The department is authorized to erect and maintain specific information panels within the right of way of those portions both of the primary system and the scenic system lying outside of cities and towns and lying outside of commercial and industrial areas to give the traveling public specific information as to gas, food, recreation, or lodging available off the primary or scenic highway accessible by way of highways intersecting the primary or scenic highway. Specific information panels shall include the words 'GAS,' 'FOOD,' 'RECREATION,' or 'LODGING' and directional information and may contain one or more individual business signs maintained on the panel. The erection and maintenance of specific information panels along primary or scenic highways shall conform to the national standards promulgated by the United States secretary of transportation pursuant to sections 131 and 315 of Title 23 United States Code and rules adopted by the state department of transportation including the manual on uniform traffic control devices for streets and highways. A motorist service business shall not be permitted to display its name, brand, or trademark on a specific information panel unless its owner has first entered into an agreement with the department limiting the height of its on-premise signs at the site of its service installation to not more than fifteen feet higher than the roof of its main building.

The department shall adopt rules for the erection and maintenance of tourist-oriented directional signs with the following restrictions:

(1) Where installed, they shall be placed in advance of the 'GAS,' 'FOOD,' 'RECREATION,' or 'LODGING' specific information panels previously described in this section;

(2) Signs shall not be placed to direct a motorist to an activity visible from the main traveled roadway;

(3) Premises on which the qualified tourist-oriented business is located must be within fifteen miles of the state highway, and necessary supplemental signing on local roads must be provided before the installation of the signs on the state highway.

The department shall charge reasonable fees for the display of individual business signs to defray the costs of their installation and maintenance.

Sec. 5. Section 2, chapter 258, Laws of 1977 ex. sess. as amended by section 225, chapter 7, Laws of 1984 and RCW 47.42.055 are each amended to read as follows:

The department is authorized to ~~((permit the erection of))~~ erect roadside area information panels or displays adjacent to the state highway system within this state. The department ~~((shall))~~ may contract with private persons for the erection and operation of the information panels or displays. Compensation to the contractors shall be derived solely from the reasonable fees that the contractors will be permitted to charge participating businesses for making and exhibiting business signs and displays and for rendering services to tourists. ~~((No state funds may be expended in materials, personnel, or in any other form for the construction, fabrication, printing, painting, selling, or maintenance of these panels or displays.))~~

Sec. 6. Section 8, chapter 96, Laws of 1961 as last amended by section 227, chapter 7, Laws of 1984 and RCW 47.42.080 are each amended to read as follows:

(1) Any sign erected or maintained contrary to the provisions of this chapter or rules adopted hereunder that is designed to be viewed from the interstate system, the primary system, or the scenic system is a public nuisance, and the department, the chief of the Washington state patrol, the county sheriff, or the chief of police of any city or town shall notify the permittee or, if there is no permittee, the owner of the property on which the sign is located, by certified mail at his last known address, that it constitutes a public nuisance and must comply with the chapter or be removed.

(2) If the permittee or owner, as the case may be, fails to comply with the chapter or remove any such sign within fifteen days after being notified to remove the sign he is guilty of a misdemeanor. In addition to the penalties imposed by law upon conviction, an order may be entered compelling removal of the sign. Each day the sign is maintained constitutes a separate offense.

(3) If the permittee or the owner of the property upon which it is located, as the case may be, is not found or refuses receipt of the notice, the department, the chief of the Washington state patrol, the county sheriff, or the chief of police of any city or town shall post the sign and property upon which it is located with a notice that the sign constitutes a public nuisance and must be removed. If the sign is not removed within fifteen days after such posting, the department, the chief of the Washington state patrol, the county sheriff, or the chief of police of any city or town shall abate the nuisance and destroy the sign, and for that purpose may enter upon private property without incurring liability for doing so.

(4) Nothing in this section may be construed to affect the provisions contained in RCW 47.42.102 requiring the payment of compensation upon the removal of any signs compensable under state law.

(5) Any sign erected or maintained on state highway right of way contrary to this chapter or rules adopted under it is a public nuisance, and the department is authorized to remove any such sign without notice.

In line 1 of the title, after "signs;" strike the remainder of the title, and insert "amending RCW 47.42.020, 47.42.040, 47.42.047, 47.42.055, and 47.42.080; and creating a new section."

Signed by Representatives Walk, Chair; Wineberry, Vice Chair; Baugher, Betrozoff, Bond, Brough, Fisch, Fisher, Gallagher, Hankins, Haugen, Kremen, Lundquist, McMullen, Patrick, Prince, Schmidt, Sutherland, Tanner, Thomas, Van Luven, J. Williams, K. Wilson and Zellinsky.

Absent: Representatives Fisch, Gallagher, C. Smith, Valle and Zellinsky.

Passed to Committee on Rules for second reading.

April 4, 1985

ESSB 3516 Prime Sponsor, Committee on Education: Providing for instruction in Spanish and Japanese in grades one through six. Reported by Committee on Education

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The legislature recognizes that it is important for the students and future citizens of our state to develop an awareness and sensitivity to other cultures and have an opportunity to become fluent in a foreign language, particularly the cultures and languages of Pacific Rim countries and Latin American countries.

Sec. 2. Section 28A.67.020, chapter 223, Laws of 1969 ex. sess. as amended by section 1, chapter 340, Laws of 1977 ex. sess. and RCW 28A.67.020 are each amended to read as follows:

No person, who is not a citizen of the United States of America, shall be permitted to teach in the common schools in this state: PROVIDED, That the superintendent of public instruction may grant to an alien a permit to teach in the common schools of this state if such teacher has all the other qualifications required by law, and has declared his or her intention of becoming a citizen of the United States of America: PROVIDED FURTHER, That after a one year probationary period the superintendent of public instruction, at the request of the school district which employed such teacher on a permit, may grant to an alien whose qualifications have been approved by the state board of education a standard certificate to teach in the common schools of this state: PROVIDED FURTHER, That the superintendent of public instruction may grant to a nonimmigrant alien whose qualifications have been approved by the state board of education a temporary permit which is renewable to teach (~~as an exchange teacher~~) in the common schools of this state.

Before such alien shall be granted a temporary permit he or she shall be required to subscribe to an oath or affirmation in writing as follows: I do solemnly swear (or affirm) that I will support the Constitution and laws of the United States and the Constitution and laws of the state of Washington; that I do not advocate the overthrow, destruction, or alteration of the constitutional form of government of the United States or of the state of Washington or any political subdivision of either of them. All oaths or affirmations subscribed as herein provided shall be filed in the office of the superintendent of public instruction and shall be there retained for a period of five years. Such permits shall at all times be subject to revocation by the superintendent of public instruction."

On page 1, line 2 of the title, strike "and creating new sections" and insert "and creating a new section"

Signed by Representatives Ebersole, Chair; Appelwick, Betrozoff, Cole, Fuhrman, Holland, Long, Peery, Rayburn, Rust, L. Smith, Taylor, Todd and Walker.

MINORITY recommendation: Do not pass. Signed by Representative Chandler.

Voting nay: Representatives Valle, Vice Chair; Chandler and Schoon.

Absent: Representatives P. King and Wang.

Passed to Committee on Rules for second reading.

April 4, 1985

ESB 3538 Prime Sponsor, Senator Warnke: Providing for the nontransferability between school districts of classified employees' seniority. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Ebersole, Chair; Valle, Vice Chair; Appelwick, Betrozoff, Chandler, Cole, Fuhrman, Holland, Long, Rayburn, Rust, Schoon, L. Smith, Taylor, Todd, Walker and Wang.

Absent: Representatives P. King, Peery and Taylor.

Passed to Committee on Rules for second reading.

April 5, 1985

ESSB 3541

Prime Sponsor, Committee on Financial Institutions: Revising health care services provisions. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

\*Sec. 1. Section 1, chapter 268, Laws of 1947 as last amended by section 3, chapter 154, Laws of 1983 and by section 3, chapter 286, Laws of 1983 and RCW 48.44.010 are each repealed and amended to read as follows:

For the purposes of this chapter:

(1) 'Health care services' means and includes medical, surgical, dental, chiropractic, ~~psy-~~~~chological,~~ hospital, ~~optometric,~~ ~~podiatric,~~ ~~pharmaceutical,~~ ~~ambulance services,~~ and other therapeutic services. ~~((Ambulance services licensed in this state, the services of an optometrist licensed by the state of Washington, the services of a podiatrist licensed by the state of Washington, and the services of a pharmacist registered by the state of Washington are also declared to be health care services for the purposes of this chapter.))~~

(2) ~~((“Doctor”))~~ 'Provider' means any person lawfully licensed or authorized by the state of Washington to render any health care services.

(3) 'Health care service contractor' means any corporation, cooperative group, or association, which ~~((corporation, cooperative group, or association))~~ is sponsored by or otherwise intimately connected with a ~~((group of doctors licensed by the state of Washington or by a group of hospitals licensed by the state of Washington; or doctor licensed by the state of Washington; or group of doctors licensed by the state of Washington))~~ provider or group of providers, who or which not otherwise being engaged in the insurance business, accepts prepayment or contractual prearrangement for health care services from or for the benefit of persons or groups of persons as consideration for providing such persons with any health care services. ~~((The term also includes any corporation, cooperative group, or association, sponsored by or otherwise intimately connected with a group of pharmacists registered by the state of Washington; or any pharmacist or group of pharmacists, registered by the state of Washington; who or which not otherwise being engaged in the insurance business, accepts prepayment for health care services from or for the benefit of persons or groups of persons as consideration for providing such persons with any health care services.))~~

(4) 'Participant' means a ~~((doctor, hospital, or licensed pharmacy, drug store or dispensary))~~ provider, who or which has contracted in writing with a health care service contractor to accept payment from and to look solely to such contractor according to the terms of the subscriber contract for any health care services rendered to a person who has previously paid, or on whose behalf prepayment or contractual prearrangement has been made, to such contractor for such services.

Sec. 2. Section 2, chapter 268, Laws of 1947 as last amended by section 4, chapter 286, Laws of 1983 and RCW 48.44.020 are each amended to read as follows:

(1) Any health care service contractor may enter into agreements with or for the benefit of persons or groups of persons which require prepayment, or are based on contractual prearrangement, for health care services by or for such persons in consideration of such health care service contractor providing one or more health care services to such persons and such activity shall not be subject to the laws relating to insurance if the health care services are rendered by the health care service contractor or by a participant.

(2) The commissioner may ~~((require the submission of contract forms for his examination and may))~~ on examination, subject to the right of the health care service contractor to demand and receive a hearing under chapters 48.04 and 34.04 RCW, disapprove any contract form for any of the following grounds:

(a) If it contains or incorporates by reference any inconsistent, ambiguous or misleading clauses, or exceptions and conditions which unreasonably or deceptively affect the risk purported to be assumed in the general coverage of the contract; or

(b) If it has any title, heading or other indication of its provisions which is misleading; or

(c) If purchase of health care services thereunder is being solicited by deceptive advertising; or

(d) If, the benefits provided therein are unreasonable in relation to the amount charged for the contract;

(e) If it contains unreasonable restrictions on the treatment of patients;

(f) If it violates any provision of this chapter; or

(g) If it fails to conform to minimum provisions or standards required by regulation made by the commissioner pursuant to chapter 34.04 RCW.

Sec. 3. Section 3, chapter 268, Laws of 1947 as last amended by section 22, chapter 339, Laws of 1981 and RCW 48.44.030 are each amended to read as follows:

If any of the health care services which are promised in any such agreement are not to be performed by the health care service contractor, or by a participant, such activity shall not be



subject to the laws relating to insurance, ~~((but such agreement shall contain))~~ provided provision is made for reimbursement or indemnity of the persons ~~((paying))~~ who have previously paid, or on whose behalf prepayment has been made, for such services ~~((which agreement))~~; Such reimbursement or indemnity shall either be underwritten by an insurance company authorized to write accident, health and disability insurance in the state or guaranteed by a surety company authorized to do business in this state, or guaranteed by a deposit of cash or securities eligible for investment by insurers pursuant to chapter 48.13 RCW, with the insurance commissioner, as hereinafter provided. If the ~~((agreement))~~ reimbursement or indemnity is underwritten by an insurance company, the contract or policy of insurance may designate the health care service contractor as the named insured, but shall be for the benefit of the persons who have previously paid, or on whose behalf prepayment has been made, for ~~((or contracted for))~~ such health care services. If the ~~((agreement))~~ reimbursement or indemnity is guaranteed by a surety company, the surety bond shall designate the state of Washington as the named obligee, but shall be for the benefit of the persons who have previously paid, or on whose behalf prepayment has been made, for ~~((or contracted for))~~ such health care services, and shall be in such amount as the insurance commissioner shall direct, but in no event in a sum greater than the amount of one hundred fifty thousand dollars or ~~((one-twelfth of the total sum of money received by the health care service contractor during the preceding twelve months as prepayment for health care services))~~ the amount necessary to cover incurred but unpaid reimbursement or indemnity benefits as reported in the last annual statement filed with the insurance commissioner, and adjusted to reflect known or anticipated increases or decreases during the ensuing year, plus an amount of unearned prepayments applicable to reimbursement or indemnity benefits, whichever amount is greater. A copy of such insurance policy or surety bond, as the case may be, and any modification thereof, shall be filed with the insurance commissioner. If the ~~((agreement))~~ reimbursement or indemnity is guaranteed by a deposit of cash or securities, such deposit shall be in such amount as the insurance commissioner shall direct, but in no event in a sum greater than the amount of one hundred fifty thousand dollars or ~~((one-twelfth of the total sum of money received by the health care service contractor during the preceding twelve months as prepayment for health care services))~~ the amount necessary to cover incurred but unpaid reimbursement or indemnity benefits as reported in the last annual statement filed with the insurance commissioner, and adjusted to reflect known or anticipated increases or decreases during the ensuing year, plus an amount of unearned prepayments applicable to reimbursement or indemnity benefits, whichever amount is greater. Such cash or security deposit shall be held in trust by the insurance commissioner and shall be for the benefit of the persons who have previously paid ~~((for or contracted))~~, or on whose behalf prepayment has been made, for such health care services.

Sec. 4. Section 5, chapter 197, Laws of 1961 as amended by section 3, chapter 87, Laws of 1965 and RCW 48.44.080 are each amended to read as follows:

Every health care service contractor shall file with its annual statement with the insurance commissioner ~~((lists))~~ a master list of the participants with whom or with which such health care service contractor has executed contracts of participation, certifying that each such participant has executed such contract of participation. The health care service contractor shall ~~((immediately))~~ on the first day of each month notify the insurance commissioner in writing in case of the termination of any such contract, and of any participant who has entered into a participating contract during the preceding month.

Sec. 5. Section 12, chapter 115, Laws of 1969 as amended by section 1, chapter 63, Laws of 1983 and RCW 48.44.145 are each amended to read as follows:

(1) The commissioner may make an examination of the operations of any health care service contractor as often as he deems necessary in order to carry out the purposes of this chapter.

(2) Every health care service contractor shall submit its books and records relating to its operation for financial condition and market conduct examinations and in every way facilitate them. For the purpose of examinations, the commissioner may issue subpoenas, administer oaths, and examine the officers and principals of the health care service contractor.

(3) The commissioner may elect to accept and rely on audit reports made by an independent certified public accountant for the health care service contractor in the course of that part of the commissioner's examination covering the same general subject matter as the audit. The commissioner may incorporate the audit report in his report of the examination.

(4) Health care service contractors licensed in the state shall be equitably assessed to cover the cost of financial condition and market conduct examinations. The assessments shall be levied not less frequently than once every twelve months and shall be in an amount expected to fund the examinations, including a reasonable margin for cost variations. The assessments shall be established by rules promulgated by the commissioner but shall not exceed one-half cent per month per person entitled to health care services pursuant to an agreement under RCW 48.44.020(1), excluding such persons who are not residents of this state. The commissioner may assess a contractor on any basis that is applicable to all similarly situated contractors and is deemed equitable. Assessment receipts shall be deposited in the general fund, shall be accounted for separately, and shall be used for the sole purpose of funding

the examinations authorized in subsection (1) of this section. Amounts remaining in the separate account at the end of a biennium shall be applied to reduce the assessments in the succeeding biennium.

(5) Whenever any health care service contractor applies for initial admission, the commissioner may make, or cause to be made, an examination of the applicant's business and affairs. Whenever such an examination is made, all of the provisions of chapter 48.03 RCW not inconsistent with this chapter shall be applicable. In lieu of making an examination himself the commissioner may, in the case of a foreign health care service contractor, accept an examination report of the applicant by the regulatory official in its state of domicile.

Sec. 6. Section 1, chapter 175, Laws of 1981 and RCW 48.44.290 are each amended to read as follows:

Notwithstanding any provision of this chapter, for any health care service contract thereunder which is entered into or renewed after July 26, 1981, benefits shall not be denied under such contract for any health care service performed by a holder of a license issued pursuant to chapter 18.88 RCW if (1) the service performed was within the lawful scope of such person's license, and (2) such contract would have provided benefits if such service had been performed by a holder of a license issued pursuant to chapter 18.71 RCW: PROVIDED, HOWEVER, That no provision of chapter 18.71 RCW shall be asserted to deny benefits under this section: (~~AND PROVIDED FURTHER: That no part of this section shall apply to agreements entered into or renewed by a health maintenance organization which provides comprehensive health care services directly to enrolled participants of such organization on a group practice per capita prepayment basis, and which is a health maintenance organization registered under chapter 48.46 RCW or a federally qualified health maintenance organization~~)).

The provisions of this section are intended to be remedial and procedural to the extent that they do not impair the obligation of any existing contract.

Sec. 7. Section 2, chapter 154, Laws of 1983 and RCW 48.44.300 are each amended to read as follows:

Benefits shall not be denied under a contract for any health care service performed by a holder of a license issued under chapter 18.22 RCW if (1) the service performed was within the lawful scope of the person's license, and (2) the contract would have provided benefits if the service had been performed by a holder of a license issued under chapter 18.71 RCW. There shall not be imposed upon one class of doctors providing health care services as defined by this chapter any requirement that is not imposed upon all other doctors providing the same or similar health care services within the scope of their license. (~~This section does not apply to agreements entered into or renewed by a health maintenance organization which provides comprehensive health care services directly to enrolled participants of the organization on a group practice per capita prepayment basis and which is a health maintenance organization registered under chapter 48.46 RCW or a federally qualified health maintenance organization~~)).

The provisions of this section are intended to be procedural to the extent that they do not impair the obligation of any existing contract.

Sec. 8. Section 2, chapter 286, Laws of 1983 and RCW 48.44.310 are each amended to read as follows:

(1) Each group contract for comprehensive health care service which is entered into, or renewed, on or after September 8, 1983, between a health care service contractor and the person or persons to receive such care shall offer coverage for chiropractic care on the same basis as any other care.

(2) A patient of a chiropractor shall not be denied benefits under a contract because the practitioner is not licensed under chapter 18.57 or 18.71 RCW.

(3) (~~This section shall not apply to agreements entered into or renewed by a health maintenance organization as defined in RCW 48.46.020(1) or a federally qualified health maintenance organization~~).

(~~4~~) This section shall not apply to a group contract for comprehensive health care services entered into in accordance with a collective bargaining agreement between management and labor representatives. Benefits for chiropractic care shall be offered by the employer in good faith on the same basis as any other care as a subject for collective bargaining for group contracts for health care services.

Sec. 9. Section 6, chapter 202, Laws of 1983 and RCW 48.44.350 are each amended to read as follows:

(1) No person having any authority in the investment or disposition of the funds of a (~~domestic~~) health care service contractor and no officer or director of a health care service contractor shall accept, except (~~as agent~~) for the health care service contractor, or be the beneficiary of any fee, brokerage, gift, commission, or other emolument because of any sale of health care service agreements or any investment, loan, deposit, purchase, sale, payment, or exchange made by or for the health care service contractor, or be pecuniarily interested therein in any capacity; except, that such a person may procure a loan from the health care service contractor directly upon approval by two-thirds of its directors and upon the pledge of securities eligible for the investment of the health care service contractor's funds under this title.

(2) The commissioner may, by regulations, from time to time, define and permit additional exceptions to the prohibition contained in subsection (1) of this section solely to enable payment of reasonable compensation to a director who is not otherwise an officer or employee of the health care service contractor, or to a corporation or firm in which the director is interested, for necessary services performed or sales or purchases made to or for the health care service contractor in the ordinary course of the health care service contractor's business and in the usual private professional or business capacity of the director or the corporation or firm.

NEW SECTION, Sec. 10. A new section is added to chapter 48.44 RCW to read as follows:

If an individual health care service agreement is issued on any basis other than as applied for, an endorsement setting forth such modification must accompany and be attached to the agreement. No agreement shall be effective unless the endorsement is signed by the applicant, and a signed copy thereof returned to the health care service contractor.

NEW SECTION, Sec. 11. A new section is added to chapter 48.44 RCW to read as follows:

After July 1, 1986, or on the next renewal date of the agreement, whichever is later, every health care service agreement issued, amended, or renewed for an individual and his or her dependents shall contain provisions to assure that the covered spouse and/or dependents, in the event that any cease to be a qualified family member by reason of termination of marriage or death of the principal enrollee, shall have the right to continue the health care service agreement without a physical examination, statement of health, or other proof of insurability.

NEW SECTION, Sec. 12. A new section is added to chapter 48.44 RCW to read as follows:

No health care service contractor shall terminate any person covered under a health care service contract because of a change in the physical or mental condition or health of such person: PROVIDED, That, after approval of the insurance commissioner, a health care service contractor may discharge its obligation to continue coverage for such person by obtaining coverage with another health care service contractor, or with an insurer which is comparable in terms of premiums and benefits."

On page 1, line 1 of the title, after "service;" strike the remainder of the title and insert "amending RCW 48.44.020, 48.44.030, 48.44.080, 48.44.145, 48.44.290, 48.44.300, 48.44.310, and 48.44.350; reenacting and amending RCW 48.44.010; and adding new sections to chapter 48.44 RCW."

Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Addison, Barrett, Crane, Dellwo, Holland, P. King, Locke, Nutley, Prince and Winsley.

Absent: Representative Grimm.

Passed to Committee on Rules for second reading.

April 4, 1985

SB 3569 Prime Sponsor, Senator Talmadge: Modifying provisions on the risk management office. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Brekke, Bristow, Hastings, Hine, Holland, J. King, Locke, Long, Madsen, G. Nelson, Niemi, Rust, Sanders, Sayan, Silver, L. Smith, Smitherman, Sommers, Taylor, Tilly and B. Williams.

Voting nay: Representative Vander Stoep.

Absent: Representative Brekke.

Passed to Committee on Rules for second reading.

April 4, 1985

SB 3593 Prime Sponsor, Senator Thompson: Ratifying previous local government reimbursements for costs related to the Mt. St. Helens eruption. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Bristow, Hastings, Hine, Holland, J. King, Locke, Long, Madsen, G. Nelson, Niemi, Rust, Sanders, Sayan, Silver, L. Smith, Smitherman, Sommers, Taylor, Tilly, Vander Stoep and B. Williams.

Absent: Representatives Brekke and Taylor.

Passed to Committee on Rules for second reading.

April 4, 1985

SSB 3598 Prime Sponsor, Committee on Human Services & Corrections: Establishing protections for disabled persons assisted by service dogs. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass. Signed by Representatives Brekke, Chair; Day, Vice Chair; Ballard, Braddock, Brooks, Dellwo, Dobbs, Leonard, Lewis, Padden, Scott, Tanner, West and Winsley.

Absent: Representatives Armstrong, Lux, Padden, Tanner, West and S. Wilson.

Passed to Committee on Rules for second reading.

April 5, 1985

SSB 3602 Prime Sponsor, Committee on Financial Institutions: Revising provisions relating to savings and loan associations. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Addison, Barrett, Crane, Dellwo, Holland, P. King, Locke, Nutley, Prince, West and Winsley.

Absent: Representative Grimm.

Passed to Committee on Rules for second reading.

April 5, 1985

ESB 3612 Prime Sponsor, Senator Gaspard: Placing a two-year freeze on the excess levy lid reduction and studying excess levies. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with amendments by Committee on Education. (For Committee on Education amendments, see Journal, 78th Day, April 1, 1985.) Signed by Representatives Braddock, Vice Chair; Basich, Brekke, Hine, Long, G. Nelson, Niemi, Rust, Sanders, Sayan, L. Smith, Smitherman, Taylor, Tilly and B. Williams.

MINORITY recommendation: Do not pass. Signed by Representatives Grimm, Chair and Holland.

Voting nay: Representatives Grimm, Chair; Bristow, Hastings, Holland, J. King, Madsen, Sommers and Vander Stoep.

Passed to Committee on Rules for second reading.

April 5, 1985

SB 3624 Prime Sponsor, Senator Kreidler: Eliminating restrictions on political activity of persons eligible for employment security department personnel. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: Do pass. Signed by Representatives Fisher, Chair; Leonard, Vice Chair; Barnes, Barrett, Day, Fisch, Madsen, Miller, Nealey, Sommers and Walker.

Absent: Representative Day.

Passed to Committee on Rules for second reading.

April 5, 1985

SB 3625 Prime Sponsor, Senator Kreidler: Changing provisions relating to fire protection district annexation. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Bristow, Brough, Ebersole, Hine, May, Patrick, Rayburn and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representatives Allen and Doty.

Voting nay: Representatives Allen, Doty, Isaacson and Winsley.

Absent: Representative Smitherman.

Passed to Committee on Rules for second reading.

April 4, 1985

ESB 3627

Prime Sponsor, Senator Warnke: Modifying the unemployment compensation requirements for persons with marginal labor force attachment. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

**\*NEW SECTION, Sec. 1.** (1) Prior to December 31, 1986, the commissioner may suspend the provisions of RCW 50.20.015(2) if the commissioner determines with respect to an individual claimant that a reasonable application of that subsection is precluded (a) by a condition of economic distress as defined in section 2 of this act; or (b) in an occupation in which governmental action prohibits the normal activities in such occupation. The commissioner shall adopt rules to implement the work search policy of the department for all claimants identified by this section. Factors to be considered in developing the policy shall include occupation of the claimant, employment conditions within the claimant's industry, labor market demand, length and frequency of unemployment of the claimant, and the potential for return to work at his or her previous employment. Claimant work search activities shall be conducted in accordance with the rules adopted under this section.

(2) The commissioner shall submit a report to the committees on commerce and labor of the senate and the house of representatives describing those conditions of economic distress identified under subsection (1) (a) or (b) of this section which preclude application of RCW 50.20.015(2). The report shall be filed within one week of the date that the suspension is made.

**NEW SECTION, Sec. 2.** For the purposes of section 1 of this act, a condition of economic distress exists when:

(1) A county has an unemployment rate that is twenty percent or more above the statewide average for the previous three years;

(2) A labor market area has experienced a sudden and severe loss of employment as defined by the commissioner;

(3) A labor market area contains a distressed industry; or

(4) The commissioner determines that the circumstances of the individual claimant meet the intent of this section.

Sec. 3. Section 9, chapter 205, Laws of 1984 and RCW 50.20.015 are each amended to read as follows:

(1) If the product of an otherwise eligible individual's weekly benefit amount multiplied by thirteen is greater than the total amount of wages earned in ~~((the state of Washington))~~ covered employment in the higher of two corresponding calendar quarters included within the individual's determination period, that individual shall be considered to have marginal labor force attachment. However, the individual shall not be considered to have marginal labor force attachment if he or she had no wages or reduced wages in either of such two corresponding calendar quarters because of illness or disability sufficient to have resulted in a finding of marginal attachment, or because such individual's first wages in covered employment were earned after the fifth completed calendar quarter of the individual's determination period. For the purposes of this subsection and RCW 50.29.020, 'determination period' means the first eight of the last nine completed calendar quarters immediately preceding the individual's current benefit year.

(2) With respect to new claims for benefits filed on or after July 1, 1985, in addition to any other requirements established under this chapter which are not inconsistent with (a) through (f) of this subsection, if a determination is made under subsection (1) of this section that an individual has marginal labor force attachment, the following provisions shall apply to benefits payable to such individuals under this chapter:

(a) Payment of benefits under this chapter shall not be made to any individual for any week of unemployment:

(i) During which he or she fails to accept any offer of suitable work, as defined in subsection (2)(c) of this section, or fails to apply for any suitable work to which he or she was referred by the department; or

(ii) During which he or she fails to actively engage in seeking work.

(b) If any individual is ineligible for benefits for any week by reason of a failure described in subsection (2)(a)(i) ~~((or (2)(a)(ii)))~~ of this section, the individual shall be ineligible to receive benefits for any week which begins during a period which:

(i) Begins with the week following the week in which such failure occurs; and

(ii) Does not end until such individual has obtained bona fide work and earned wages of not less than his or her suspended weekly benefit amount in each of five calendar weeks.

(c) For purposes of this section, the term 'suitable work' means, with respect to any individual, any work which is within such individual's capabilities and which does not involve conditions described in RCW 50.20.110.

(d) Benefits shall not be denied under subsection (2)(a)(i) of this section to any individual for any week by reason of a failure to accept an offer of, or apply for, suitable work if:

(i) The gross average weekly remuneration payable to such individual for the position does not exceed the sum of:

(A) The individual's weekly benefit amount, as determined under RCW 50.20.120, for his or her benefit year; plus

(B) The amount (if any) of supplemental unemployment compensation benefits (as defined in section 501(c)(17)(D) of the Internal Revenue Code of 1954, 26 U.S.C. Sec. 501(c)(17)(D)), payable to such individual for such week;

(ii) The position was not offered to such individual in writing and was not listed with the department;

(iii) Such failure would not result in a denial of benefits under the provisions of RCW 50.20-.080 and 50.20.100 to the extent such provisions are not inconsistent with the provisions of subsections (2)(c) and (2)(e) of this section; or

(iv) The position pays wages less than the higher of:

(A) The minimum wage provided by section (6)(a)(1) of the Fair Labor Standards Act of 1938, without regard to any exemption; or

(B) Any applicable state or local minimum wage.

(e) For purposes of this section, an individual shall be treated as actively engaged in seeking work during any week if:

(i) The individual has engaged in a systematic and sustained effort to obtain work during such week, which has included at least five employer contacts: PROVIDED, That if the department determines that economic conditions within a designated labor market area make it unlikely that individuals will be able to fulfill the requirement of five employer contacts per week, then the department shall designate an appropriate number of required contacts for individuals within such labor market area: PROVIDED FURTHER, That if the department makes such a determination, then it shall report the determination, the newly-established number of employer contacts required within the designated labor market area, and supporting documentation for these actions, to the governor and the respective chairpersons of the house committee on labor and the senate committee on commerce and labor;

(ii) The individual provides tangible evidence to the department that he or she has engaged in such an effort during such week. Such evidence shall include information supplied by the individual on forms developed by the department which also provide for employer signature to verify work search contacts and comments regarding the individual's preparedness for immediate work.

(f) The department shall refer applicants to any suitable work to which subsections (2)(d)(i) through (2)(d)(iv) of this section would not apply. To the extent possible, the department shall provide each applicant with five referrals each week. A referral shall serve as one of the employer contacts required in subsection (2)(e)(i) of this section.

(3) This section shall not apply to an individual who earned wages in covered employment in at least eighty hours in each calendar quarter of the individual's base period, nor shall it apply to an individual who during the first half of the determination period performed work and earned wages for services not considered to be covered employment in Washington.

NEW SECTION. Sec. 4. Sections 1 and 2 of this act are each added to chapter 50.20 RCW.

NEW SECTION. Sec. 5. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 6. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect July 1, 1985."

On page 1, line 2 of the title, after "attachment;" strike all material through "RCW;" on line 3 of the title and insert "amending RCW 50.20.015; adding new sections to chapter 50.20 RCW;"

Signed by Representatives Wang, Chair; Cole, Vice Chair; Betrozoff, Chandler, Ebersole, Fisch, Fisher, R. King, O'Brien, Patrick, Sayan, C. Smith, Walker and J. Williams.

Passed to Committee on Rules for second reading.

April 5, 1985

ESSB 3717

Prime Sponsor, Committee on Ways & Means: Modifying provisions relating to retirement systems. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. As expressed in RCW 41.26.270, the intent of the legislature in enacting the law enforcement officers' and fire fighters' retirement system was to provide in RCW 41.26.120 a statute in the nature of a workers' compensation act which provides compensation to employees for personal injuries or sickness incurred in the course of employment. The sole purpose of sections 2 through 6 of this act is to clarify that intent.

Sec. 2, Section 12, chapter 209, Laws of 1969 ex. sess. as last amended by section 2, chapter 294, Laws of 1981 and RCW 41.26.120 are each amended to read as follows:

Any member, regardless of his age or years of service may be retired by the disability board, subject to approval by the director as hereinafter provided, for any disability incurred in the line of duty which has been continuous since his discontinuance of service and which renders him unable to continue his service (~~(whether incurred in the line of duty or not)~~). No disability retirement allowance shall be paid until the expiration of a period of six months after the discontinuance of service during which period the member, if found to be physically or mentally unfit for duty by the disability board following receipt of his application for disability retirement, shall be granted a disability leave by the disability board and shall receive an allowance equal to his full monthly salary and shall continue to receive all other benefits provided to active employees from his employer for such period. However, if, at any time during the initial six-month period, the disability board finds the beneficiary is no longer disabled, his disability leave allowance shall be canceled and he shall be restored to duty in the same rank or position, if any, held by the beneficiary at the time he became disabled. Applications for disability retirement shall be processed in accordance with the following procedures:

(1) Any member who believes he is or is believed to be physically or mentally disabled shall be examined by such medical authority as the disability board shall employ, upon application of said member, or a person acting in his behalf, stating that said member is disabled, either physically or mentally; PROVIDED, That no such application shall be considered unless said member or someone in his behalf, in case of the incapacity of a member, shall have filed the application within a period of one year from and after the discontinuance of service of said member.

(2) If the examination shows, to the satisfaction of the disability board, that the member is physically or mentally disabled from the further performance of duty, that such disability was incurred in the line of duty, and that such disability has been continuous from the discontinuance of service, the disability board shall enter its written decision and order, accompanied by appropriate findings of fact and by conclusions evidencing compliance with this chapter as now or hereafter amended, granting the member a disability retirement allowance; otherwise, if the member is not found by the disability board to be so disabled, the application shall be denied pursuant to a similar written decision and order, subject to appeal to the director in accordance with RCW 41.26.200; PROVIDED, That in any order granting a duty disability retirement allowance, the disability board shall make a finding (~~(of whether or not)~~) that the disability was incurred in line of duty.

(3) Every order of a disability board granting a duty disability retirement allowance shall forthwith be reviewed by the director except the finding (~~(of whether)~~) that the disability was incurred in the line of duty. The director may affirm the decision of the disability board or remand the case for further proceedings if the director finds the disability board's findings, inferences, conclusions, or decisions are:

- (a) In violation of constitutional provisions; or
- (b) In excess of the statutory authority or jurisdiction of the disability board; or
- (c) Made upon unlawful procedure; or
- (d) Affected by other error of law; or
- (e) Clearly erroneous in view of the entire record as submitted and the public policy contained in this chapter; or
- (f) Arbitrary or capricious.

(4) Every member who can establish, to the disability board, that he is physically or mentally disabled from the further performance of duty, that such disability was incurred in the line of duty, and that such disability will be in existence for a period of at least six months may waive the six-month period of disability leave and be immediately granted a duty disability retirement allowance, subject to the approval of the director as provided in subsection (3) above.

NEW SECTION. Sec. 3. A new section is added to chapter 41.26 RCW to read as follows:

Any member, regardless of age or years of service, may be retired by the disability board, subject to approval by the director as provided in this section, for any disability not incurred in the line of duty which has been continuous since discontinuance of service and which renders the member unable to continue service. No disability retirement allowance may be paid until the expiration of a period of six months after the discontinuance of service during which period the member, if found to be physically or mentally unfit for duty by the disability board following receipt of the member's application for disability retirement, shall be granted a disability leave by the disability board and shall receive an allowance equal to the member's full monthly salary and shall continue to receive all other benefits provided to active employees from the member's employer for the period. However, if, at any time during the initial six-month period, the disability board finds the beneficiary is no longer disabled, the disability leave allowance shall be canceled and the member shall be restored to duty in the same rank or position, if any, held by the member at the time the member became disabled. Applications for disability retirement shall be processed in accordance with the following procedures:

(1) Any member who believes he or she is, or is believed to be, physically or mentally disabled shall be examined by such medical authority as the disability board shall employ, upon application of the member, or a person acting in the member's behalf, stating that the member is disabled, either physically or mentally: PROVIDED, That no such application shall be considered unless the member or someone acting in the member's behalf, in case of the incapacity of a member, has filed the application within a period of one year from and after the discontinuance of service of the member.

(2) If the examination shows, to the satisfaction of the disability board, that the member is physically or mentally disabled from the further performance of duty, that such disability was not incurred in the line of duty, and that such disability had been continuous from the discontinuance of service, the disability board shall enter its written decision and order, accompanied by appropriate findings of fact and by conclusions evidencing compliance with this chapter, granting the member a disability retirement allowance. Otherwise, if the member is not found by the disability board to be so disabled, the application shall be denied pursuant to a similar written decision and order, subject to appeal to the director in accordance with RCW 41.26.200: PROVIDED, That in any order granting a nonduty disability retirement allowance, the disability board shall make a finding that the disability was not incurred in the line of duty.

(3) Every order of a disability board granting a nonduty disability retirement allowance shall forthwith be reviewed by the director except the finding that the disability was not incurred in the line of duty. The director may affirm the decision of the disability board or remand the case for further proceedings if the director finds the disability board's findings, inferences, conclusions, or decisions are:

- (a) In violation of constitutional provisions; or
- (b) In excess of the statutory authority or jurisdiction of the disability board; or
- (c) Made upon unlawful procedure; or
- (d) Affected by other error of law; or
- (e) Clearly erroneous in view of the entire record as submitted and the public policy contained in this chapter; or
- (f) Arbitrary or capricious.

(4) Every member who can establish to the disability board that the member is physically or mentally disabled from the further performance of duty, that such disability was not incurred in the line of duty, and that such disability will be in existence for a period of at least six months, may waive the six-month period of disability leave and be immediately granted a nonduty disability retirement allowance, subject to the approval of the director as provided in subsection (3) of this section.

Sec. 4. Section 14, chapter 257, Laws of 1971 ex. sess. and RCW 41.26.270 are each amended to read as follows:

The legislature of the state of Washington hereby declares that the relationship between members of the law enforcement officers' and fire fighters' retirement system and their governmental employers is similar to that of workmen to their employers and that the sure and certain relief granted by this chapter is desirable, and as beneficial to such law enforcement officers and fire fighters as workmen's compensation coverage is to persons covered by Title 51 RCW. The legislature further declares that removal of law enforcement officers and fire fighters from workmen's compensation coverage under Title 51 RCW necessitates the (1) continuance of sure and certain relief for personal injuries incurred in the course of employment or occupational disease, which the legislature finds to be accomplished by the provisions of this chapter and (2) protection for the governmental employer from actions at law; and to this end the legislature further declares that the benefits and remedies conferred by this chapter upon law enforcement officers and fire fighters covered hereunder, shall be to the exclusion of any other remedy, proceeding, or compensation for personal injuries or sickness, caused by the governmental employer except as otherwise provided by this chapter; and to that end all civil actions and civil causes of actions by such law enforcement officers and fire fighters against their governmental employers for personal injuries or sickness are hereby abolished, except as otherwise provided in this chapter.

Sec. 5. Section 18, chapter 294, Laws of 1977 ex. sess. as amended by section 1, chapter 249, Laws of 1979 ex. sess. and RCW 41.26.005 are each amended to read as follows:

The provisions of the following sections of this chapter shall apply only to persons who establish membership in the retirement system on or before September 30, 1977: RCW 41.26.080, 41.26.090, 41.26.100, 41.26.110, 41.26.120, section 3 of this 1985 act, 41.26.130, 41.26.140, 41.26.150, 41.26.160, 41.26.170, 41.26.190, 41.26.200, 41.26.240, 41.26.250, 41.26.260, and 41.26.270.

Sec. 6. Section 11, chapter 105, Laws of 1975-'76 2nd ex. sess. as last amended by section 97, chapter 3, Laws of 1983 and RCW 41.50.090 are each amended to read as follows:

(1) Except as otherwise provided in this section, on the effective date of transfer as provided in RCW 41.50.030, the department shall succeed to and is vested with all powers, duties, and functions now or by any concurrent act of this 1976 legislature vested in the individual retirement boards set forth in RCW 41.50.030 relating to the administration of their various retirement systems, including but not limited to the power to appoint a staff and define the



duties thereof: PROVIDED, That actuarial services required by the department shall be performed by the state actuary as provided in RCW 44.44.040.

(2) The department shall keep each retirement board fully informed on the administration of the corresponding retirement system, and shall furnish any information requested by a retirement board.

(3) Rules proposed by the director under RCW 2.10.070, 41.26.060, 41.32.160, or 41.40.020(~~or 43.43.140~~) shall be submitted to the appropriate retirement boards for review prior to adoption. After receiving approval of the members of the appropriate board, such rules shall become effective as provided by the administrative procedure act, chapter 34.04 RCW.

(4) Each retirement board shall continue to perform all functions as are vested in it by law with respect to applications for benefits paid upon either temporary or permanent disability, with such staff assistance from the department as may be required. The director shall perform those functions with respect to disability benefits as are vested in him or her by RCW 41.26.120, section 3 of this 1985 act, and 41.26.200.

NEW SECTION. Sec. 7. The provisions of sections 2 through 6 of this act apply retrospectively to all disability leave and disability retirement allowances granted under chapter 41.26 RCW on or after March 1, 1970.

Sec. 8. Section 57, chapter 80, Laws of 1947 as last amended by section 5, chapter 151, Laws of 1967 and RCW 41.32.570 are each amended to read as follows:

Any retired teacher who enters service in any public educational institution in Washington state shall cease to receive pension payments while engaged in such service: PROVIDED, That service may be rendered up to seventy-five days per school year without reduction of pension.

NEW SECTION. Sec. 9. A new section is added to chapter 41.32 RCW to read as follows:

Section 8 of this act shall apply to all persons governed by the provisions of RCW 41.32.005, regardless of the date of their retirement, but shall apply only to benefits payable after the effective date of this act.

Sec. 10. Section 21, chapter 274, Laws of 1947 as last amended by section 3, chapter 18, Laws of 1982 and RCW 41.40.200 are each amended to read as follows:

(1) Subject to the provisions of RCW 41.40.310 and 41.40.320, upon application of a member, or his or her employer, a member who becomes totally incapacitated for duty as the natural and proximate result of an accident occurring in the actual performance of duty or who becomes totally incapacitated for duty and qualifies to receive benefits under Title 51 RCW as a result of an occupational disease, as now or hereafter defined in RCW 51.08.140, while in the service of an employer, without wilful negligence on his or her part, shall be retired: PROVIDED, The medical adviser after a medical examination of such member made by or under the direction of the said medical adviser shall certify in writing that such member is mentally or physically totally incapacitated for the further performance of his or her duty ((to his employer)) and that such member should be retired: PROVIDED FURTHER, That the ((retirement board)) director concurs in the recommendation of the medical adviser: AND PROVIDED FURTHER, No application shall be valid or a claim thereunder enforceable unless, in the case of an accident, filed within two years after the date upon which the injury occurred, or in the case of an occupational disease, filed within two years after the member separated from service with the employer.

(2) The retirement for disability of a judge, who is a member of the retirement system, by the supreme court under Article IV, section 31 of the Constitution of the state of Washington (House Joint Resolution No. 37, approved by the voters November 4, 1980), with the concurrence of the ((retirement board)) director, shall be considered a retirement under subsection (1) of this section.

Sec. 11. Section 38, chapter 274, Laws of 1947 as last amended by section 22, chapter 52, Laws of 1982 1st ex. sess. and RCW 41.40.370 are each amended to read as follows:

(1) The director shall ascertain and report to each employer the contribution rates necessary to meet present and future pension liabilities of the system for the ensuing biennium or fiscal year, whichever is applicable. The amount to be so provided shall be computed by applying the rates of contribution as established by RCW 41.40.361 or 41.40.650 to an estimate of the total compensation earnable of all the said employer's members during the period for which provision is to be made.

(2) Beginning April 1, 1949, or October 1, 1977, as the case may be, the amount to be collected as the employer's contribution shall be computed by applying the applicable rates established by RCW 41.40.361 or 41.40.650 to the total compensation earnable of employer's members as shown on the current payrolls of the said employer. Each said employer shall compute at the end of each month the amount due for that month and the same shall be paid as are its other obligations.

(3) In the event of failure, for any reason, of an employer other than a political subdivision of the state to have remitted amounts due for membership service of any of the employer's members rendered during a prior biennium, the director shall bill such employer ((through the director of financial management)) for such employer's contribution together with such charges as the director deems appropriate in accordance with RCW 41.50.120. Such billing

shall be paid by the employer as, and the same shall be, a proper charge against any moneys available or appropriated to such employer for payment of current biennial payrolls.

Sec. 12. Section 22, chapter 105, Laws of 1975-'76 2nd ex. sess. and RCW 44.44.040 are each amended to read as follows:

The state actuary shall have the following powers and duties:

(1) Perform all actuarial services for the department of retirement systems, including all studies required by law. Reimbursement for such services shall be made to the state actuary pursuant to the provisions of RCW 39.34.130 as now or hereafter amended.

(2) Advise the legislature and the governor regarding the benefit provisions, funding policies, and investment policies of the department of retirement systems.

(3) Consult with the legislature and the governor concerning determination of actuarial assumptions used by the department of retirement systems.

(4) Prepare a report, to be known as the actuarial fiscal note, on each pension bill introduced in the legislature which ((shall)) briefly explains the financial impact of the bill. The actuarial fiscal note shall include: (a) The statutorily required contribution for the biennium and the following twenty-five years; (b) the biennial cost of the increased benefits if these exceed the required contribution; and (c) any change in the present value of the unfunded accrued benefits. An actuarial fiscal note shall also be prepared for all amendments which are offered in committee or on the floor of the house of representatives or the senate to any pension bill.

(5) Provide such actuarial services to the legislature as may be requested from time to time.

Sec. 13. Section 6, chapter 294, Laws of 1977 ex. sess. as amended by section 10, chapter 184, Laws of 1984 and RCW 41.26.450 are each amended to read as follows:

The required contribution rates to the retirement system for members, employers, and the state of Washington shall be established by the director from time to time as may be necessary upon the advice of the state actuary.

The member, the employer and the state shall each contribute the following shares of the cost of the retirement system:

Member	50%
Employer	30%
State	20%

Effective January 1, 1986, however, no contributions are required for any calendar month in which the member is not granted service credit.

Any adjustments in contribution rates required from time to time for future costs shall likewise be shared proportionally by the members, employers, and the state: PROVIDED, That the costs of amortizing the unfunded supplemental present value of the retirement system, in existence on September 30, 1977, shall be borne in full by the state.

Any increase in the contribution rate required as the result of a failure of the state or of an employer to make any contribution required by this section shall be borne in full by the state or by that employer not making the contribution.

The director shall notify all employers of any pending adjustment in the required contribution rate and such increase shall be announced at least thirty days prior to the effective date of the change.

Members' contributions required by this section shall be deducted from the members basic salary each payroll period. The members contribution and the employers contribution shall be remitted directly to the department within fifteen days following the end of the calendar month during which the payroll period ends.

Until such time as the director shall establish other rates, members, employers of such members, and the state shall each contribute the following percentages of basic salary:

Member	8.14%
Employer	4.88%
State	3.28%

In addition, the state shall initially contribute an additional twenty percent of basic salary per member to amortize the unfunded supplemental present value of the retirement system in effect on September 30, 1977.

Sec. 14. Section 11, chapter 14, Laws of 1963 ex. sess. as last amended by section 1, chapter 236, Laws of 1984 and RCW 41.32.401 are each amended to read as follows:

(1) For the purpose of establishing and maintaining an actuarial reserve adequate to meet present and future liabilities of the system and to pay for an equitable portion of the operating expenses of the department, the director shall determine the necessary contribution rates to be made by each employer on all members' total earnable compensation on the basis of the latest valuation prepared by the state actuary, and shall include a percentage contribution of the total earnable compensation, to be known as the 'normal contribution' and an additional percentage contribution of such earnable compensation, to be known as the 'unfunded liability contribution.' The director shall notify employers of such rates at least thirty days prior to their effective date. Such determination shall provide for amortization of unfunded retirement system liabilities over a period of not more than fifty years from July 1, 1964. The legislature shall appropriate to the superintendent of public instruction the full amount recommended by the

state actuary for the employer contribution rates for state funded certificated staff. The amounts shall be deposited in the teachers' retirement fund for the payment of pensions, survivors' benefits, and the employer's share of the operating expenses for the system. However, a school district for the 1985-86 school year shall not be required to pay to the department of retirement systems for the employer contribution to the teachers' retirement system, any amount in excess of the funds received by such school district from the state through the office of the superintendent of public instruction for such purpose, and for the 1986-87 school year and thereafter, a school district shall not be required to pay at a rate exceeding the rate that the director sets for the employer contribution for each employee. Effective January 1, 1986, however, no contributions will be required for the calendar months in which the member is not granted service credit if the member or employee first established membership on or after October 1, 1977.

(2) In order to equitably reimburse the department of retirement systems expense fund, the director shall ascertain and report to each employer the contribution rate necessary to defray its proportional share of the cost of administering this chapter during either the next biennium or fiscal year, whichever is required to provide the amounts needed to defray such cost of administration. The director shall also ascertain at the beginning of either each biennium or each fiscal year, whichever is required, and request from the legislature an appropriation for the department of retirement systems expense fund sufficient to cover estimated expenses for the biennium or fiscal year.

Sec. 15. Section 6, chapter 293, Laws of 1977 ex. sess. as amended by section 11, chapter 184, Laws of 1984 and RCW 41.32.775 are each amended to read as follows:

The required contribution rates to the retirement system for both members and employers shall be established by the director from time to time as may be necessary upon the advice of the state actuary: PROVIDED, That the employer contribution shall be contributed as provided in RCW 41.32.401.

Contribution rates required to fund the costs of the retirement system shall always be equal for members and employers, except as herein provided. Effective January 1, 1986, however, no contribution is required for any calendar month in which the member is not granted service credit. Any adjustments in contribution rates required from time to time for future costs shall likewise be shared equally by the members and employers: PROVIDED, That the costs of amortizing the unfunded supplemental present value of the retirement system, in existence on September 30, 1977, shall be borne in full by the employers.

Any increase in the contribution rate required as the result of a failure of an employer to make any contribution required by this section shall be borne in full by the employer not making the contribution.

The director shall notify all employers of any pending adjustment in the required contribution rate and such increase shall be announced at least thirty days prior to the effective date of the change.

Members contributions required by this section shall be deducted from the members earnable compensation each payroll period. The members contribution shall be remitted directly to the department within fifteen days following the end of the calendar month during which the payroll period ends and the employers contribution shall be remitted as provided by law.

Until such time as the director shall establish other rates, members and employers of such members shall each contribute 5.66% of earnable compensation: PROVIDED, That employers shall initially contribute an additional 5.80% of earnable compensation per member to amortize the unfunded supplemental present value of the retirement system in effect on September 30, 1977.

Sec. 16. Section 34, chapter 274, Laws of 1947 as last amended by section 12, chapter 190, Laws of 1973 1st ex. sess. and RCW 41.40.330 are each amended to read as follows:

(1) Each employee who is a member of the retirement system shall contribute five percent of his total compensation earnable: PROVIDED, HOWEVER, That a retirement system expense fund contribution of two dollars and fifty cents per annum shall be transferred in semiannual payments of one dollar and twenty-five cents from each employee account balance in the employees' savings fund to the department of retirement systems expense fund account, as set forth in this section. On and after July 1, 1973, each employee who is a member of the retirement system shall contribute six percent of his total compensation earnable. Effective January 1, 1986, however, no contributions are required for any calendar month in which the member is not granted service credit. The officer responsible for making up the payroll shall deduct from the compensation of each member, on each and every payroll of such member for each and every payroll period subsequent to the date on which he became a member of the retirement system the contribution as provided by this section.

(2) Any member may, pursuant to regulations formulated from time to time by the board, provide for himself, by means of an increased rate of contribution to his account in the employees' savings fund, an increased prospective retirement allowance pursuant to RCW 41.40.190 and 41.40.185.

(3) The officer responsible for making up the payroll shall deduct from the compensation of each member covered by the provisions of RCW 41.40.190(5) and 41.40.185(4) on each and every payroll of such member for each and every payroll period subsequent to the date on

which he thereafter becomes a member of the retirement system, an amount equal to seven and one-half percent of such member's compensation earnable.

Sec. 17. Section 4, chapter 231, Laws of 1957 as last amended by section 13, chapter 190, Laws of 1973 1st ex. sess. and RCW 41.40.361 are each amended to read as follows:

(1) For the purpose of this section, the 'fundable employer liability' at any date shall be the present value of

(a) all future pension benefits payable in respect of all members in the retirement system at that date, and

(b) all future benefits in respect of beneficiaries then receiving retirement allowances or pensions.

(2) The contributions by the employer for benefits under the retirement system shall consist of the sum of a percentage of the compensation of members to be known as the 'normal contribution', a percentage of such compensation to be known as the 'unfunded liability contribution' and in the case of employers admitted to the retirement system after April 1, 1949, a percentage of such compensation to be known as the 'additional contribution'. The rates of such contributions shall be determined by the retirement board on the basis of assets and liabilities as shown by actuarial valuation: PROVIDED, That as to state employers effective July 1, 1973 the total combined contributions of the normal contribution and unfunded liability contribution shall not exceed a total combined percentage rate of seven percent for each employer unless authorized by the legislature.

(3) After the completion of each actuarial valuation subsequent to the first actuarial valuation of June 30, 1953, the retirement board shall determine the normal contribution rate and such contribution rate shall become effective in the ensuing biennium. In addition the board shall determine the additional employer contribution rate necessary to fund the benefits granted officials holding office pursuant to Articles II and III of the Constitution of the state of Washington and RCW 48.02.010. Said additional employer contribution rate shall be paid in the same manner as the normal contribution and the unfunded liability contribution. Until the unfunded liability contribution shall have been discontinued, such normal contribution rate shall be computed to be sufficient, when applied to the present value of the future compensation of the average new member entering the system, to provide for the payment of all prospective pension benefits in respect of such member. After the unfunded liability contributions have been discontinued, such normal contribution rate shall be determined as the uniform and constant percentage of the prospective compensation of all members of the retirement system at the date of such valuation which is equivalent to the excess of the fundable employer liability over the amount of funds currently standing to the credit of the benefit account fund.

(4) After the completion of each actuarial valuation subsequent to the first actuarial valuation of June 30, 1953, the retirement board shall determine the unfunded liability contribution, and such rate shall become effective in the ensuing biennium. The unfunded liability contribution rate shall ~~(not be less than the uniform and constant percentage of the prospective compensation of all members of the retirement system for the forty-year period following the date of such valuation which is equivalent to the unfunded liability)~~ be set at a percentage sufficient to provide for the amortization of unfunded retirement system liabilities over a period of not more than forty years from June 30, 1985. The unfunded liability shall be determined at such date as the excess of the fundable employer liability over the sum of the present value of the future normal contributions payable in respect of all members in the retirement system at that date, and the amount of all funds currently standing to the credit of the benefit account fund. The unfunded liability contributions shall continue until there remains no unfunded liability.

(5) Any employer admitted to the retirement system after April 1, 1949, shall make an additional contribution until such time as the sum of such additional contributions equals the amount of contributions which such employer and employee would have been required to contribute between April 1, 1949, and the date of such employer's admission to the retirement system: PROVIDED, That either the employee or employer may make the contributions the employee would have made during the same period of time: PROVIDED FURTHER, That all additional contributions hereunder and under the provisions of RCW 41.40.160(2) must be completed within fifteen years from the date of the employer's admission. Employee contributions for these periods must be made before the member will receive credit for those periods of service, pursuant to such regulations as the retirement board may adopt.

(6) For the biennium beginning July 1, 1971, and ending June 30, 1973, only, and notwithstanding any other provision of the chapter, the rate determined by the board for state employer contributions shall be only the percentage of compensation for members equal to the 'normal contribution' computed to be four and thirty-six one-hundredths percent of compensation.

Sec. 18. Section 38, chapter 274, Laws of 1947 as last amended by section 22, chapter 52, Laws of 1982 1st ex. sess. and RCW 41.40.370 are each amended to read as follows:

(1) The director shall ascertain and report to each employer the contribution rates necessary to meet present and future pension liabilities of the system for the ensuing biennium or fiscal year, whichever is applicable. The amount to be so provided shall be computed by

applying the rates of contribution as established by RCW 41.40.361 or 41.40.650 to an estimate of the total compensation earnable of all the said employer's members during the period for which provision is to be made.

(2) Beginning April 1, 1949, or October 1, 1977, as the case may be, the amount to be collected as the employer's contribution shall be computed by applying the applicable rates established by RCW 41.40.361 or 41.40.650 to the total compensation earnable of employer's members as shown on the current payrolls of the said employer, except no contributions are required for any calendar month in which the member is not granted service credit. Each said employer shall compute at the end of each month the amount due for that month and the same shall be paid as are its other obligations.

(3) In the event of failure, for any reason, of an employer other than a political subdivision of the state to have remitted amounts due for membership service of any of the employer's members rendered during a prior biennium, the director shall bill such employer through the director of financial management for such employer's contribution together with such charges as the director deems appropriate in accordance with RCW 41.50.120. Such billing shall be paid by the employer as, and the same shall be, a proper charge against any moneys available or appropriated to such employer for payment of current biennial payrolls.

Sec. 19. Section 6, chapter 295, Laws of 1977 ex. sess. as amended by section 12, chapter 184, Laws of 1984 and RCW 41.40.650 are each amended to read as follows:

The required contribution rates to the retirement system for both members and employers shall be established by the director from time to time as may be necessary upon the advice of the state actuary.

Contribution rates required to fund the costs of the retirement system shall always be equal for members and employers, except as herein provided. Effective January 1, 1986, however, no contribution is required for any calendar month in which the member is not granted service credit. Any adjustments in contribution rates required from time to time for future costs shall likewise be shared equally by the members and employers: PROVIDED, That the costs of amortizing the unfunded supplemental present value of the retirement system, in existence on September 30, 1977, shall be borne in full by the employers.

Any increase in the contribution rate required as the result of a failure of an employer to make any contribution required by this section shall be borne in full by the employer not making the contribution.

The director shall notify all employers of any pending adjustment in the required contribution rate and such increase shall be announced at least thirty days prior to the effective date of the change.

Members contributions required by this section shall be deducted from the members compensation earnable each payroll period. The members contribution and the employers contribution shall be remitted directly to the department within fifteen days following the end of the calendar month during which the payroll period ends.

Until such time as the director shall establish other rates, members and employers of such members shall each contribute 5.51% of compensation earnable: PROVIDED, That employers shall initially contribute an additional one and one-half percent of compensation earnable per member to amortize the unfunded supplemental present value of the retirement system in effect on September 30, 1977.

**NEW SECTION.** Sec. 20. A new section is added to chapter 41.26 RCW to read as follows:

(1) A disabled member who believes that his or her disability has ceased in accordance with RCW 41.26.130(3) may make application to the disability board which originally found the member to be disabled, for a determination that the disability has ceased.

(2) Every order of a disability board determining that a member's disability has ceased pursuant to RCW 41.26.130(3) shall forthwith be reviewed by the director. The director may affirm the decision of the disability board or remand the case for further proceedings if the director finds the disability board's findings, inferences, conclusions, or decisions are:

- (a) In violation of constitutional provisions; or
  - (b) In excess of the statutory authority or jurisdiction of the disability board; or
  - (c) Made upon unlawful procedure; or
  - (d) Affected by other error of law; or
  - (e) Clearly erroneous in view of the entire record as submitted and the public policy contained in this chapter; or
  - (f) Arbitrary or capricious.
- (3) Determinations of whether a disability has ceased under RCW 41.26.130(3) and this section shall be made in accordance with the same procedures and standards governing other cancellations of disability retirement.

Sec. 21. Section 14, chapter 209, Laws of 1969 ex. sess. as last amended by section 4, chapter 294, Laws of 1981 and RCW 41.26.140 are each amended to read as follows:

(1) Upon the basis of reexaminations of members on disability retirement as provided in RCW 41.26.130, the disability board shall determine whether such disability beneficiary is still unable to perform his duties either physically or mentally for service in the department where he was employed.

(2) If the disability board shall determine that the beneficiary is not so incapacitated his retirement allowance shall be canceled and he shall be restored to duty in the same civil service rank, if any, held by the beneficiary at the time of his retirement or if unable to perform the duties of said rank, then, at his request, in such other like or lesser rank as may be or become open and available, the duties of which he is then able to perform. In no event, shall a beneficiary previously drawing a disability allowance be returned or be restored to duty at a salary or rate of pay less than the current salary attached to the rank or position held by the said beneficiary at the date of his retirement for disability. If the disability board determines that the beneficiary is able to return to service he shall be entitled to notice and a hearing, both the notice and the hearing shall comply with the requirements of chapter 34.04 RCW, as now or hereafter amended.

(3) Should a disability beneficiary reenter service and be eligible for membership in the retirement system, his retirement allowance shall be canceled and he shall immediately become a member of the retirement system.

(4) Should any disability beneficiary under age fifty refuse to submit to examination, his retirement allowance shall be discontinued until his withdrawal of such refusal, and should such refusal continue for one year or more, his retirement allowance shall be canceled.

(5) Should the disability retirement allowance of any disability beneficiary be canceled for any cause other than reentrance into service or retirement for service, he shall be paid the excess, if any, of his accumulated contributions at the time of his retirement over all payments made on his behalf under this chapter.

(6) Any person feeling aggrieved by an order of a disability board determining that a beneficiary's disability has not ceased, pursuant to RCW 41.26.130(3) has the right to appeal the order or determination to the director. The director shall have no jurisdiction to entertain the appeal unless a notice of appeal is filed with the director within thirty days following the rendition of the order by the disability board. A copy of the notice of appeal shall be served upon the director and the applicable disability board and, within ninety days thereof, the disability board shall certify its decision and order which shall include findings of fact and conclusions of law, together with a transcript of all proceedings in connection therewith, to the director for review. Upon review of the record, the director may affirm the order of the disability board or may remand the case for further proceedings if the director finds that the disability board's findings, inferences, conclusions, or decisions are:

(a) In violation of constitutional provisions; or

(b) In excess of the statutory authority or jurisdiction of the disability board; or

(c) Made upon unlawful procedure; or

(d) Affected by other error of law; or

(e) Clearly erroneous in view of the entire record as submitted and the public policy contained in this chapter; or

(f) Arbitrary or capricious.

Sec. 22. Section 13, chapter 274, Laws of 1947 as last amended by section 13, chapter 184, Laws of 1984 and RCW 41.40.120 are each amended to read as follows:

Membership in the retirement system shall consist of all regularly compensated employees and appointive and elective officials of employers, as defined in this chapter, with the following exceptions:

(1) Persons in ineligible positions;

(2) Employees of the legislature except the officers thereof elected by the members of the senate and the house and legislative committees, unless membership of such employees be authorized by the said committee;

(3) Persons holding elective offices or persons appointed directly by the governor: PROVIDED, That such persons shall have the option of applying for membership during such periods of employment: AND PROVIDED FURTHER, That any persons holding or who have held elective offices or persons appointed by the governor who are members in the retirement system and who have, prior to becoming such members, previously held an elective office, and did not at the start of such initial or successive terms of office exercise their option to become members, may apply for membership to be effective during such term or terms of office, and shall be allowed to establish the service credit applicable to such term or terms of office upon payment of the employee contributions therefor by the employee with interest as determined by the director and employer contributions therefor by the employer or employee with interest as determined by the director: AND PROVIDED FURTHER, That all contributions with interest submitted by the employee under this subsection shall be placed in the employee's individual account in the employee's savings fund and be treated as any other contribution made by the employee, with the exception that any contributions submitted by the employee in payment of the employer's obligation, together with the interest the director may apply to the employer's contribution, shall not be considered part of the member's annuity for any purpose except withdrawal of contributions;

(4) Employees holding membership in, or receiving pension benefits under, any retirement plan operated wholly or in part by an agency of the state or political subdivision thereof, or who are by reason of their current employment contributing to or otherwise establishing the

right to receive benefits from any such retirement plan: PROVIDED, HOWEVER, in any case where the retirement system has in existence an agreement with another retirement system in connection with exchange of service credit or an agreement whereby members can retain service credit in more than one system, such an employee shall be allowed membership rights should the agreement so provide: AND PROVIDED FURTHER, That an employee shall be allowed membership if otherwise eligible while receiving survivor's benefits: AND PROVIDED FURTHER, That an employee shall not either before or after June 7, 1984, be excluded from membership or denied service credit pursuant to this subsection solely on account of enrollment under the relief and compensation provisions or the pension provisions of the volunteer firemen's relief and pension fund under chapter 41.24 RCW:

(5) Patient and inmate help in state charitable, penal, and correctional institutions;

(6) Members of a state veterans' home or state soldiers' home;

(7) Persons employed by an institution of higher learning or community college, primarily as an incident to and in furtherance of their education or training, or the education or training of a spouse;

(8) Employees of an institution of higher learning or community college during the period of service necessary to establish eligibility for membership in the retirement plans operated by such institutions;

(9) Persons rendering professional services to an employer on a fee, retainer, or contract basis or when the income from these services is less than fifty percent of the gross income received from the person's practice of a profession;

(10) Persons appointed after April 1, 1963, by the liquor control board as agency vendors;

(11) Employees of a labor guild, association, or organization: PROVIDED, That elective officials and employees of a labor guild, association, or organization which qualifies as an employer within this chapter shall have the option of applying for membership;

(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;

(13) Persons employed by or appointed or elected as an official of a first class city that has its own retirement system: PROVIDED, That any member elected or appointed to an elective office on or after April 1, 1971, shall have the option of continuing as a member of this system in lieu of becoming a member of the city system. A member who elects to continue as a member of this system shall pay the appropriate member contributions and the city shall pay the employer contributions at the rates prescribed by this chapter. The city shall also transfer to this system all of such member's accumulated contributions together with such further amounts as necessary to equal all employee and employer contributions which would have been paid into this system on account of such service with the city and thereupon the member shall be granted credit for all such service. Any city that becomes an employer as defined in RCW 41.40.010(4) as the result of an individual's election under the first proviso of this subsection shall not be required to have all employees covered for retirement under the provisions of this chapter. Nothing in this subsection shall prohibit a city of the first class with its own retirement system from transferring all of its current employees to the retirement system established under this chapter. Notwithstanding any other provision of this chapter, persons transferring from employment with a first class city of over four hundred thousand population that has its own retirement system to employment with the state department of agriculture may elect to remain within the retirement system of such city and the state shall pay the employer contributions for such persons at like rates as prescribed for employers of other members of such system;

(14) Employees who (a) are not citizens of the United States, (b) do not reside in the United States, and (c) perform duties outside of the United States;

(15) Employees who (a) are not citizens of the United States, (b) are not covered by chapter 41.48 RCW, (c) are not excluded from membership under this chapter or chapter 41.04 RCW, (d) are residents of this state, and (e) make an irrevocable election to be excluded from membership, in writing, which is submitted to the director within thirty days after employment in an eligible position;

(16) Employees who are citizens of the United States and who reside and perform duties for an employer outside of the United States: PROVIDED, That unless otherwise excluded under this chapter or chapter 41.04 RCW, the employee may apply for membership (a) within thirty days after employment in an eligible position and membership service credit shall be granted from the first day of membership service, and (b) after this thirty-day period, but membership service credit shall be granted only from the date of application;

(17) The city manager or chief administrative officer of a city or town who serves at the pleasure of an appointing authority: PROVIDED, That such persons shall have the option of applying for membership within thirty days from date of their appointment to such positions. Persons serving in such positions as of the effective date of this 1985 act shall continue to be members in the retirement system unless they notify the director in writing prior to December 31, 1985, of their desire to withdraw from membership in the retirement system. A member who withdraws from membership in the system under this section shall receive a refund of the member's accumulated contributions.

**NEW SECTION.** Sec. 23. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 1 of the title, after "systems;" strike the remainder of the title and insert "amending RCW 41.26.120, 41.26.270, 41.26.005, 41.50.090, 41.32.570, 41.40.200, 41.40.370, 44.44.040, 41.26.450, 41.32.401, 41.32.775, 41.40.330, 41.40.361, 41.40.370, 41.40.650, 41.26.140, and 41.40.120; adding new sections to chapter 41.26 RCW; adding a new section to chapter 41.32 RCW; creating new sections; and declaring an emergency."

Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Brekke, Bristow, Hastings, Hine, Holland, J. King, Locke, Long, Madsen, G. Nelson, Niemi, Rust, Sanders, Sayan, Silver, L. Smith, Smitherman, Sommers, Taylor, Tilly, Vander Stoep and B. Williams.

Passed to Committee on Rules for second reading.

April 4, 1985

**ESSB 3723** Prime Sponsor, Committee on Ways & Means: Allowing local hotel/motel tax proceeds to be used for stadium restaurant facilities and additional seating. Reported by Committee on Ways & Means

**MAJORITY recommendation:** Do pass. Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Brekke, Bristow, Hastings, Hine, Holland, J. King, Locke, Long, G. Nelson, Niemi, Rust, Sanders, Sayan, Silver, L. Smith, Smitherman, Sommers, Taylor, Tilly, Vander Stoep and B. Williams.

Absent: Representative Tilly.

Passed to Committee on Rules for second reading.

April 5, 1985

**ESB 3762** Prime Sponsor, Senator McDermott: Modifying administrative provisions on the convention and trade center. Reported by Committee on Ways & Means

**MAJORITY recommendation:** Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 3, chapter 34, Laws of 1982 as amended by section 3, chapter 1, Laws of 1983 2nd ex. sess. and RCW 67.40.030 are each amended to read as follows:

For the purpose of providing funds for the state convention and trade center, the state finance committee is authorized to issue, upon request of the corporation formed under RCW 67.40.020 and in ~~((a single))~~ one or more offerings, general obligation bonds of the state of Washington in the sum of ninety-nine million dollars, or so much thereof as may be required, to finance this project and all costs incidental thereto, to capitalize all or a portion of interest during construction, to provide for expansion, renovation, and contingency costs of the center, and to reimburse the general fund for expenditures in support of the project. The state finance committee may make such bond covenants as it deems necessary to carry out the purposes of this section and this chapter. No bonds authorized in this section may be offered for sale without prior legislative appropriation.

**NEW SECTION.** Sec. 2. A new section is added to chapter 67.40 RCW to read as follows:

To more accurately determine the total costs and revenues of the corporation formed under RCW 67.40.020 and to ensure accountability, promote flexibility, and increase profitability, the funds of the corporation shall be administered as an enterprise fund by the corporation, the state treasurer, and other state agencies. Administration and accounting of an enterprise fund, as applied by and to the corporation formed under RCW 67.40.020, includes the following additional powers and practices:

(1) The corporation may expend moneys for operational purposes in excess of the amount appropriated for such purposes to the extent the corporation receives or will receive additional operating revenues.

(2) Seventy-five percent of the income from the investment of the corporation's funds deposited in the general fund pursuant to RCW 43.84.090 including interest earned thereon, before and after the effective date of this act, shall be credited against any future borrowings by the corporation from the general fund for debt service or otherwise at the time such funds are needed after July 1, 1987.

**NEW SECTION.** Sec. 3. A new section is added to chapter 67.40 RCW to read as follows:

Members of the board shall be compensated in accordance with RCW 43.03.250 and shall be reimbursed for travel expenses under RCW 43.03.050 and 43.03.060.

**NEW SECTION.** Sec. 4. A new section is added to chapter 43.03 RCW to read as follows:

Notwithstanding any provision of this chapter, employees of the corporation formed under RCW 67.40.020 shall be reimbursed for actual and reasonable travel and subsistence expenses



incurred out of state for the purpose of marketing the convention center as may be requested or performed by the chief executive officer of the corporation subject to approval of the office of financial management. Reimbursement under this section may not be for promotional hosting expenditures.

Sec. 5. Section 43.84.090, chapter 8, Laws of 1965 as last amended by section 2, chapter 242, Laws of 1981 and RCW 43.84.090 are each amended to read as follows:

Except as otherwise provided by section 2 of this 1985 act, twenty percent of all income received from such investments shall be deposited in the state general fund.

NEW SECTION. Sec. 6. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 2 of the title, strike ", 43.84.080,"

Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Brekke, Bristow, Hastings, Hine, Holland, J. King, Locke, Long, Madsen, G. Nelson, Niemi, Rust, Sanders; Sayan, Silver, L. Smith, Smitherman, Sommers, Taylor, Tilly, Vander Stoep and B. Williams.

Passed to Committee on Rules for second reading.

April 4, 1985

ESB 3782 Prime Sponsor, Senator Gaspard: Establishing the Washington state honors award program. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Ebersole, Chair; Valle, Vice Chair; Appelwick, Berozoff, Chandler, Cole, Fuhrman, Holland, Long, Peery, Rayburn, L. Smith, Taylor, Todd and Walker.

Voting nay: Representatives Rust and Schoon.

Absent: Representatives P. King and Wang.

Passed to Committee on Rules for second reading.

April 5, 1985

SSB 3786 Prime Sponsor, Committee on Judiciary: Establishing misdemeanor offense for theft of shopping carts. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Crane, Dellwo, Hargrove, P. King, Lewis, Locke, G. Nelson, Padden, Schmidt, Schoon, Tilly, Van Loven and West.

Absent: Representatives Appelwick, Niemi and Wang.

Passed to Committee on Rules for second reading.

April 5, 1985

ESSB 3792 Prime Sponsor, Committee on Financial Institutions: Modifying provisions relating to banks and banking. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. A new section is added to chapter 30.04 RCW to read as follows:

(1) Notwithstanding any other provision of this title, a bank, with the prior approval of the supervisor, may purchase shares of its own capital stock. However, no bank may purchase and hold at any time more than five percent of its outstanding shares. Shares purchased under this section shall not be held for a period greater than six months.

(2) When a bank purchases such shares, its capital accounts shall be reduced appropriately. The shares shall be held as authorized but unissued shares, but may be resold at any time within six months after acquisition for a price equal to or greater than the higher of the acquisition price or par value. Except as provided in this subsection, shares shall not be sold without the prior written approval of the supervisor.

NEW SECTION. Sec. 2. A new section is added to chapter 30.04 RCW to read as follows:

Each person making a deposit in a bank or trust company shall be given a receipt that shall show or in conjunction with the deposit slip can be used to trace the name of the bank or trust company, the name of the account, the account number, the date, and the amount deposited. If specifically requested by the depositor when making the deposit, the receipt must expressly show the name of the bank or trust company, the date, the amount deposited, plus

either the name of the account or the account number or both the name of the account and the account number.

Sec. 3. Section 30.04.060, chapter 33, Laws of 1955 as last amended by section 3, chapter 157, Laws of 1983 and RCW 30.04.060 are each amended to read as follows:

The supervisor, the deputy supervisor, or a bank examiner, without previous notice, shall visit each bank and each trust company at least once ~~((in each year))~~ **every eighteen months**, and oftener if necessary, for the purpose of making a full investigation into the condition of such corporation, and for that purpose they are hereby empowered to administer oaths and to examine under oath any director, officer, employee, or agent of such corporation. The supervisor may make such other full or partial examinations as deemed necessary and may examine any bank holding company that owns any portion of a bank or trust company chartered by the state of Washington and obtain reports of condition for any bank holding company that owns any portion of a bank or trust company chartered by the state of Washington. The supervisor may visit and examine into the affairs of any nonpublicly held corporation in which the bank, trust company, or bank holding company has an investment or any publicly held corporation the capital stock of which is controlled by the bank, trust company, or bank holding company; may appraise and revalue such corporations' investments and securities; and shall have full access to all the books, records, papers, securities, correspondence, bank accounts, and other papers of such corporations for such purposes. The supervisor may, in his or her discretion, accept in lieu of the examinations required in this section the examinations ~~((required under the terms of the federal reserve act for banks which are, or may become, members of a federal reserve bank or the deposits of which are insured by))~~ **conducted at the direction of the federal reserve board or the Federal Deposit Insurance Corporation.** Any wilful false swearing in any examination is perjury in the second degree.

Sec. 4. Section 30.04.230, chapter 33, Laws of 1955 as last amended by section 9, chapter 157, Laws of 1983 and RCW 30.04.230 are each amended to read as follows:

(1) A corporation or association organized under the laws of this state or licensed to transact business in the state, other than a bank or trust company, may acquire any or all shares of stock of any bank, trust company, or national banking association. Nothing in this section shall be construed to prohibit the merger, consolidation, or reorganization of a bank or trust company in accordance with this title.

(2) Unless the terms of this section are complied with, an out-of-state bank holding company shall not acquire more than five percent of the shares of the voting stock or all or substantially all of the assets of a bank, trust company, or national banking association the principal operations of which are conducted within this state.

(3) As used in this section a 'bank holding company' means a company that is a bank holding company as defined by the Bank Holding Company Act of 1956, as amended (12 U.S.C. Sec. ~~((1944))~~ 1841 et seq.). An 'out-of-state bank holding company' is a bank holding company that principally conducts its operations outside this state, as measured by total deposits held or controlled by its bank subsidiaries on the date on which it became a holding company. A 'domestic bank holding company' is a bank holding company that principally conducts its operations within this state, as measured by total deposits held or controlled by its bank subsidiaries on the date on which it became a bank holding company.

(4) Any such acquisition referred to under subsection (2) of this section by an out-of-state bank holding company requires the express written approval of the supervisor of banking. Approval shall not be granted unless and until the following conditions are met:

(a) An out-of-state bank holding company desiring to make an acquisition referred to under subsection (2) of this section and the bank, trust company, national banking association, or domestic bank holding company parent thereof, if any, proposed to be acquired shall file an application in writing with the supervisor of banking ~~((and pay an investigation fee of five thousand dollars to the supervisor of banking)).~~ **The supervisor shall by rule establish the fee schedule to be collected from the applicant in connection with the application. The fee shall not exceed the cost of processing the application.** The application shall contain such information as the supervisor of banking may prescribe by rule as necessary or appropriate for the purpose of making a determination under this section. The application and supporting information and all examination reports and information obtained by the supervisor and the supervisor's staff in conducting its investigation shall be confidential and privileged and not subject to public disclosure under chapter 42.17 RCW. The application and information may be disclosed to federal bank regulatory agencies and to officials empowered to investigate criminal charges, subject to legal process, valid search warrant, or subpoena. In any civil action in which such application or information is sought to be discovered or used as evidence, any party may, upon notice to the supervisor and other parties, petition for an in camera review. The court may permit discovery and introduction of only those portions that are relevant and otherwise unobtainable by the requesting party. The application and information shall be discoverable in any judicial action challenging the approval of an acquisition by the supervisor as arbitrary and capricious or unlawful.

(b) The supervisor of banking shall find that:

(i) The bank, trust company, or national banking association that is proposed to be acquired or the domestic bank holding company controlling such bank, trust company, or national banking association is in such a liquidity or financial condition as to be in danger of closing, failing, or insolvency. In making any such determination the supervisor shall be guided by the criteria developed by the federal regulatory agencies with respect to emergency acquisitions under the provisions of 12 U.S.C. Sec. 1828(c);

(ii) There is no state bank, trust company, or national banking association doing business in the state of Washington or domestic bank holding company with sufficient resources willing to acquire the entire bank, trust company, or national banking association on at least as favorable terms as the out-of-state bank holding company is willing to acquire it;

(iii) The applicant out-of-state bank holding company has provided all information and documents requested by the supervisor in relation to the application; and

(iv) The applicant out-of-state bank holding company has demonstrated an acceptable record of meeting the credit needs of its entire community, including low and moderate income neighborhoods, consistent with the safe and sound operation of such institution.

(c) The supervisor shall consider:

(i) The financial institution structure of this state; and

(ii) The convenience and needs of the public of this state.

(5) Nothing in this section may be construed to prohibit, limit, restrict, or subject to further regulation the ownership by a bank of the stock of a bank service corporation or a banker's bank.

Sec. 5. Section 2, chapter 246, Laws of 1977 ex. sess. and RCW 30.04.405 are each amended to read as follows:

(1) It is unlawful for any person to acquire control of a bank until thirty days after filing with the supervisor a completed application. The application shall be under oath and contain substantially all of the following information plus any additional information that the supervisor may prescribe as necessary or appropriate in the particular instance for the protection of bank depositors, borrowers, or shareholders and the public interest:

(a) The identity, banking and business experience of each person by whom or on whose behalf acquisition is to be made;

(b) The financial and managerial resources and future prospects of each person involved in the acquisition;

(c) The terms and conditions of any proposed acquisition and the manner in which the acquisition is to be made;

(d) The source and amount of the funds or other consideration used or to be used in making the acquisition, and a description of the transaction and the names of the parties if any part of these funds or other consideration has been or is to be borrowed or otherwise obtained for the purpose of making the acquisition;

(e) Any plan or proposal which any person making the acquisition may have to liquidate the bank, to sell its assets, to merge it with any other bank, or to make any other major change in its business or corporate structure for management;

(f) The identification of any person employed, retained, or to be compensated by the acquiring party, or by any person on its behalf, who makes solicitations or recommendations to shareholders for the purpose of assisting in the acquisition and a brief description of the terms of the employment, retainer, or arrangement for compensation; and

(g) Copies of all invitations for tenders or advertisements making a tender offer to shareholders for the purchase of their stock to be used in connection with the proposed acquisition.

(2) Notwithstanding any other provision of this section, a bank or domestic bank holding company as defined in RCW 30.04.230 need only notify the supervisor of an intent to acquire control and the date of the proposed acquisition of control at least thirty days before the date of the acquisition of control.

(3) When a person, other than an individual or corporation, is required to file an application under this section, the supervisor may require that the information required by subsection (1)(a), (b), and (f) of this section be given with respect to each person, as defined in RCW 30.04.400(3), who has an interest in or controls a person filing an application under this subsection.

(4) When a corporation is required to file an application under this section, the supervisor may require that information required by subsection (1)(a), (b), and (f) of this section be given for the corporation, each officer and director of the corporation, and each person who is directly or indirectly the beneficial owner of twenty-five percent or more of the outstanding voting securities of the corporation.

(5) If any tender offer, request, or invitation for tenders or other agreements to acquire control is proposed to be made by means of a registration statement under the Securities Act of 1933 (48 Stat. 74, 15 U.S.C., Sec. 77(a)), as amended, or in circumstances requiring the disclosure of similar information under the Securities Exchange Act of 1934 (48 Stat. 881, 15 U.S.C., Sec. 78(a)), as amended, the registration statement or application may be filed with the supervisor in lieu of the requirements of this section.

(6) Any acquisition of control in violation of this section shall be ineffective and void.

(7) Any person who wilfully or intentionally violates this section or any rule adopted pursuant thereto is guilty of a gross misdemeanor pursuant to chapter 9A.20 RCW. Each day's violation shall be considered a separate violation, and any person shall upon conviction be fined not more than one thousand dollars for each day the violation continues.

Sec. 6. Section 30.12.060, chapter 33, Laws of 1955 as last amended by section 5, chapter 136, Laws of 1969 and RCW 30.12.060 are each amended to read as follows:

(1) Any bank or trust company shall be permitted to make loans to any employee of such corporation, or to purchase, discount or acquire, as security or otherwise, the obligation or debt of any employee to any other person, to the same extent as if the employee were in no way connected with the corporation. Any bank or trust company shall be permitted to make loans to any officer of such corporation, or to purchase, discount or acquire, as security or otherwise, the obligation or debt of any officer to any other person: PROVIDED, That the total value of the loans made and obligation acquired for any one officer shall not exceed such amount as shall be prescribed by the supervisor of banking pursuant to regulations adopted in accordance with the Administrative Procedure Act, chapter 34.04 RCW, as now or hereafter amended: AND PROVIDED FURTHER, That no such loan shall be made, or obligation acquired, in excess of five percent of a bank's capital and unimpaired surplus or twenty-five thousand dollars, whichever is larger, unless a resolution authorizing the same shall be adopted by a vote of a majority of the board of directors of such corporation~~((at a meeting of the board of directors of such corporation held within thirty days))~~ prior to the making of such loan or discount, and such vote and resolution shall be entered in the corporate minutes. In no event shall the loan or obligation acquired exceed five hundred thousand dollars in the aggregate without prior approval by a majority of the corporation's board of directors. No loan in excess of five percent of a bank's capital and unimpaired surplus or twenty-five thousand dollars, whichever is larger, shall be made by any bank or trust company to any director of such corporation nor shall the note or obligation in excess of five percent of a bank's capital and unimpaired surplus or twenty-five thousand dollars, whichever is larger, of such director be discounted by any such corporation, or by any officer or employee thereof in its behalf, unless a resolution authorizing the same shall be adopted by a vote of a majority of the entire board of directors of such corporation exclusive of the vote of such interested director, ((at a meeting of the board of directors of such corporation held within ninety days prior to the making of such loan or discount)) and such vote and resolution shall be entered in the corporate minutes. In no event may the loan or obligation acquired exceed five hundred thousand dollars in the aggregate without prior approval by a majority of the corporation's board of directors.

Each bank or trust company shall at such times and in such form as may be required by the supervisor, report to the supervisor all outstanding loans to directors of such bank or trust company.

The amount of any endorsement or agreement of suretyship or guaranty of any such director to the corporation shall be construed to be a loan within the provisions of this section. Any modification of the terms of an existing obligation (excepting only such modifications as merely extend or renew the indebtedness) shall be construed to be a loan within the meaning of this section.

(2) 'Unimpaired surplus,' as used in this section, consists of the sum of the following amounts:

(a) Fifty percent of the reserve for possible loan losses;

(b) Subordinated notes and debentures;

(c) Surplus;

(d) Undivided profits; and

(e) Reserve for contingencies and other capital reserves, excluding accrued dividends on preferred stock.

Sec. 7. Section 10, chapter 53, Laws of 1973 1st ex. sess. and RCW 30.42.100 are each amended to read as follows:

If the supervisor approves the application, he shall notify the alien bank of his approval and shall file certified copies of its charter, certificate or other authorization to do business with the secretary of state ~~((and with the recording officer of the county in which the office is to be located))~~. Upon such filing, the supervisor shall issue a certificate of authority stating that the alien bank is authorized to conduct business through a branch or agency in this state at the place designated in accordance with this chapter. Each such certificate shall be conspicuously displayed at all times in the place of business specified therein.

The office of the alien bank must commence business within six months after the issuance of the supervisor's certificate: PROVIDED, That the supervisor for good cause shown may extend such period for an additional time not to exceed three months.

Sec. 8. Section 6, chapter 95, Laws of 1982 and RCW 30.42.115 are each amended to read as follows:

(1) Any branch of an alien bank that received approval of its branch application pursuant to RCW 30.42.090, or that had filed its branch application pursuant to RCW 30.42.060, on or before July 27, 1978, and any approved branch of an alien bank that has designated Washington as its home state pursuant to section 5 of the International Banking Act of 1978, shall

have the same power to solicit and accept deposits as a state bank chartered pursuant to Title 30 RCW, except that acceptance of initial deposits of less than one hundred thousand dollars shall be limited to deposits of the following:

(a) Any business entity, including any corporation, partnership, association, or trust, that engages in commercial activity for profit: PROVIDED, That there shall be excluded from this category any such business entity that is organized under the laws of any state or the United States, is majority-owned by United States citizens or residents, and has total assets, including assets of majority owned subsidiaries, of less than one million five hundred thousand dollars as of the date of the initial deposit;

(b) Any governmental unit, including the United States government, any state government, any foreign government and any political subdivision or agency of the foregoing;

(c) Any international organization which is composed of two or more nations;

(d) Any draft, check, or similar instrument for the transmission of funds issued by the branch;

(e) Any depositor who is not a citizen of the United States and who is not a resident of the United States at the time of the initial deposit;

(f) Any depositor who established a deposit account on or before July 1, 1982, and who has continuously maintained the deposit account since that date: PROVIDED, That this subparagraph (f) of this subsection shall be effective only until July 1, 1985;

(g) Any other person: PROVIDED, That the amount of deposits under this subparagraph (g) of this subsection may not exceed four percent of the average of the branch's deposits for the last thirty days of the most recent calendar quarter, excluding deposits in the branch of other offices, branches, agencies, or wholly owned subsidiaries of the alien bank.

(2) As used in subsection (1) of this section, "initial deposit" means the first deposit transaction between a depositor and the branch. Different deposit accounts that are held by a depositor in the same right and capacity may be added together for purposes of determining the dollar amount of that depositor's initial deposit.

(3) Approved branches of alien banks, other than those described in subsection (1) of this section, may solicit and accept deposits only from foreign governments and their agencies and instrumentalities, persons, or entities conducting business principally at their offices or establishments abroad, and such other deposits that:

(a) Are to be transmitted abroad;

(b) Consist of collateral or funds to be used for payment of obligations to the branch;

(c) Consist of the proceeds of collections abroad that are to be used to pay for exported or imported goods or for other costs of exporting or importing or that are to be periodically transferred to the depositor's account at another financial institution;

(d) Consist of the proceeds of extensions of credit by the branch; or

(e) Represent compensation to the branch for extensions of credit or services to the customer.

(4) A branch may accept deposits, subject to the limitations set forth in subsections (1) and (3) of this section, only upon the same terms and conditions (including nature and extent of such deposits, withdrawal, and the payment of interest thereon) that banks organized under the laws of this state which are members of the Federal Reserve System may accept such deposits. Any branch that is not subject to reserve requirements under regulations of the Federal Reserve Board shall maintain deposit reserves in this state, pursuant to rules adopted by the supervisor, to the same extent they must be maintained by banks organized under the laws of this state which are members of the Federal Reserve System."

On page 1, line 1 of the title, after "banking;" strike the remainder of the title and insert "amending RCW 30.04.060, 30.04.230, 30.04.405, 30.12.060, 30.42.100, and 30.42.115; and adding new sections to chapter 30.04 RCW."

Signed by Representatives Lux, Chair; Addison, Barrett, Crane, Dellwo, Holland, P. King, Locke, Nutley, Prince, West and Winsley.

Absent: Representative Grimm.

Passed to Committee on Rules for second reading.

April 5, 1985

ESSB 3798

Prime Sponsor, Committee on Ways & Means: Providing for the financing of local public works. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

**\*NEW SECTION. Sec. 1. LEGISLATIVE FINDINGS AND POLICY.** The legislature finds that there exists in the state of Washington over four billion dollars worth of critical projects for the planning, acquisition, construction, repair, replacement, rehabilitation, or improvement of streets and roads, bridges, water systems, and storm and sanitary sewage systems. The December, 1983 Washington state public works report prepared by the planning and community affairs

agency documented that local governments expect to be capable of financing over two billion dollars worth of the costs of those critical projects but will not be able to fund nearly half of the documented needs. It is the policy of the state of Washington to encourage self-reliance by local governments in meeting their public works needs and to assist in the financing of critical public works projects by making loans, financing guarantees, and technical assistance available to local governments for these projects.

**NEW SECTION. Sec. 2. DEFINITIONS.** Unless the context clearly requires otherwise, the definitions in this section shall apply throughout this chapter.

(1) 'Board' means the public works board created in section 3 of this act.

(2) 'Department' means the department of community development.

(3) 'Financing guarantees' means the pledge of money in the public works assistance account, or money to be received by the public works assistance account, to the repayment of all or a portion of the principal of or interest on obligations issued by local governments to finance public works projects.

(4) 'Local governments' means cities, towns, counties, special purpose districts, and any other municipal corporations or quasi-municipal corporations in the state excluding school districts and port districts.

(5) 'Public works project' means a project of a local government for the planning, acquisition, construction, repair, reconstruction, replacement, rehabilitation, or improvement of streets and roads, bridges, water systems, or storm and sanitary sewage systems.

(6) 'Technical assistance' means training and other services provided to local governments to (a) help such local governments plan, apply, and qualify for loans and financing guarantees from the board and (b) help local governments improve their ability to plan for, finance, acquire, construct, repair, replace, rehabilitate, and maintain public facilities.

**NEW SECTION. Sec. 3. PUBLIC WORKS BOARD CREATED.** (1) The public works board is hereby created.

(2) The board shall be composed of thirteen members appointed by the governor for terms of four years, except that five members initially shall be appointed for terms of two years. The board shall include: (a) Three members, two of whom shall be elected officials and one shall be a public works manager, appointed from a list of at least six persons nominated by the association of Washington cities or its successor; (b) three members, two of whom shall be elected officials and one shall be a public works manager, appointed from a list of at least six persons nominated by the Washington state association of counties or its successor; (c) three members appointed from a list of at least six persons nominated jointly by the Washington state association of water districts, the Washington public utility districts association, and the Washington state association of sewer districts or their successors; and (d) four members appointed from the general public. In appointing the four general public members, the governor shall endeavor to balance the geographical composition of the board and to include members with special expertise in relevant fields such as public finance, architecture and civil engineering, and public works. The governor shall appoint one of the general public members of the board as chair. The term of the chair shall coincide with the term of the governor.

(3) Staff support to the board shall be provided by the department.

(4) Members of the board shall receive no compensation but shall be reimbursed for travel expenses under RCW 43.03.050 and 43.03.060.

(5) If a vacancy on the board occurs by death, resignation, or otherwise, the governor shall fill the vacant position for the unexpired term. Each vacancy in a position appointed from lists provided by the associations under subsection (2) of this section shall be filled from a list of at least three persons nominated by the relevant association or associations. Any members of the board, appointive or otherwise, may be removed by the governor for cause in accordance with RCW 43.06.070 and 43.06.080.

**NEW SECTION. Sec. 4. GENERAL POWERS OF THE BOARD.** The board may:

(1) Accept from any state or federal agency, loans or grants for the planning or financing of any public works project and enter into agreements with any such agency concerning the loans or grants;

(2) Provide technical assistance to local governments;

(3) Accept any gifts, grants, or loans of funds, property, or financial or other aid in any form from any other source on any terms and conditions which are not in conflict with this chapter;

(4) Adopt rules under chapter 34.04 RCW as necessary to carry out the purposes of this chapter;

(5) Do all acts and things necessary or convenient to carry out the powers expressly granted or implied under this chapter.

**NEW SECTION. Sec. 5. PUBLIC WORKS FINANCING POWERS.** In order to aid the financing of public works projects, the board may:

(1) Make market rate or low interest loans to local governments from the public works assistance account or other funds and accounts for the purpose of assisting local governments in financing public works projects. The board may require such terms and conditions and may charge such rates of interest on its loans as it deems necessary or convenient to carry out the

purposes of this chapter. Money received from local governments in repayment of loans made under this section shall be paid into the public works assistance account for uses consistent with this chapter.

(2) Pledge money in the public works assistance account, or money to be received by the public works assistance account, to the repayment of all or a portion of the principal of or interest on obligations issued by local governments to finance public works projects. The board shall not pledge any amount greater than the sum of money in the public works assistance account plus money to be received from the payment of the debt service on loans made from that account, nor shall the board pledge the faith and credit or the taxing power of the state or any agency or subdivision thereof to the repayment of obligations issued by any local government.

(3) Create such subaccounts in the public works assistance account as the board deems necessary to carry out the purposes of this chapter.

(4) Provide a method for the allocation of loans and financing guarantees and the provision of technical assistance under this chapter.

All local public works projects aided in whole or in part under the provisions of this chapter shall be put out for competitive bids. The competitive bids called for shall be administered in the same manner as all other public works projects put out for competitive bidding by the local governmental entity aided under this chapter.

NEW SECTION, Sec. 6. ELIGIBILITY AND PRIORITY. (1) To qualify for loans or pledges under this chapter the board must determine that a local government meets all of the following conditions:

(a) The local government must be imposing a tax under chapter 82.46 RCW at a rate of at least one-quarter of one percent;

(b) The local government must have developed a long-term plan for financing public works needs; and

(c) The local government must be using all local revenue sources which are reasonably available for funding public works, taking into consideration local employment and economic factors.

(2) The board shall develop a priority process for public works projects as provided in this section. The intent of the priority process is to maximize the value of public works projects accomplished with assistance under this chapter. The board shall attempt to assure a geographical balance in assigning priorities to projects. The board shall consider at least the following factors in assigning a priority to a project:

(a) Whether the project is located in an area of high unemployment, compared to the average state unemployment;

(b) Whether the local government receiving assistance has experienced severe fiscal distress resulting from natural disaster or emergency public works needs;

(c) Whether the project is critical in nature and would affect the health and safety of a great number of citizens;

(d) The cost of the project compared to the size of the local government and amount of loan money available;

(e) The number of communities served by or funding the project; and

(f) Other criteria that the board considers advisable.

(5) Existing debt or financial obligations of local governments shall not be refinanced under this chapter. Each local government applicant shall provide documentation of attempts to secure additional local or other sources of funding for each public works project for which financial assistance is sought under this chapter.

(6) Before November 1 of each year, the board shall develop and submit to the ways and means committees of the senate and house of representatives a prioritized list of projects which are recommended for funding by the legislature. The list shall include, but not be limited to, a description of each project and recommended financing, the terms and conditions of the loan or financial guarantee, the local government jurisdiction and unemployment rate, demonstration of the jurisdiction's critical need for the project and documentation of local funds being used to finance the public works project. The list shall also include measures of fiscal capacity for each jurisdiction recommended for financial assistance, compared to authorized limits and state averages, including local government sales taxes; real estate excise taxes; property taxes; and charges for or taxes on sewerage, water, garbage, and other utilities.

(7) The board shall not sign contracts or otherwise financially obligate funds from the public works assistance account before the legislature has appropriated funds for a specific list of public works projects. The legislature may remove projects from the list recommended by the board. The legislature shall not change the order of the priorities recommended for funding by the board.

NEW SECTION, Sec. 7. PUBLIC WORKS ASSISTANCE ACCOUNT. The public works assistance account is hereby established in the general fund. Money may be placed in the public works assistance account from the proceeds of bonds when authorized by the legislature or from any other lawful source. Money in the public works assistance account shall be used to make loans and to give financial guarantees in accordance with this chapter.

**NEW SECTION.** Sec. 8. RECORDS, AUDITS, AND REPORTS. The board shall keep proper records of accounts and shall be subject to audit by the state auditor. Biennial reports on the activities of the board shall be made by the chair to the governor and the legislature.

Sec. 9. Section 31, chapter 35, Laws of 1982 1st ex. sess. as last amended by section 6, chapter 3, Laws of 1983 2nd ex. sess. and RCW 82.02.030 are each amended to read as follows:

(1) The rate of the additional taxes under RCW 54.28.020(2), 54.28.025(2), 66.24.210(2), 66.24.290(2), 82.04.2901, 82.16.020(2), ~~((82.26.010(2);))~~ 82.26.020(2), 82.27.020(5), 82.29A.030(2), 82.44.020(5), and 82.45.060(2) shall be seven percent;

(2) The rate of the additional taxes under RCW 82.08.150(4) shall be fourteen percent;

(3) The rate of the additional taxes under RCW 82.24.020(2) shall be fifteen percent; and

(4) The rate of the additional taxes under RCW 48.14.020(3) shall be four percent.

Sec. 10. Section 82.16.020, chapter 15, Laws of 1961 as last amended by section 13, chapter 3, Laws of 1983 2nd ex. sess. and RCW 82.16.020 are each amended to read as follows:

(1) 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:

(a) Railroad, express, railroad car, ~~((water distribution))~~ sewerage collection, light and power, and telegraph businesses: Three and six-tenths percent;

(b) Gas distribution business: Three and six-tenths percent;

(c) Urban transportation business: Six-tenths of one percent;

(d) Vessels under sixty-five feet in length, except tugboats, operating upon the waters within the state: Six-tenths of one percent;

(e) Motor transportation and tugboat businesses, and all public service businesses other than ones mentioned above: One and eight-tenths of one percent;

(f) Water distribution and refuse collection businesses: Four and seven-tenths percent.

(2) An additional tax is imposed equal to the rate specified in RCW 82.02.030 multiplied by the tax payable under subsection (1) of this section.

(3) Twenty percent of the moneys collected under subsection (1) of this section on water distribution businesses, seventy percent of the moneys collected under subsection (1) of this section on refuse collection businesses, and sixty percent of the moneys collected under subsection (1) of this section on sewerage collection businesses shall be deposited in the public works assistance account created in section 7 of this 1985 act.

Sec. 11. Section 82.20.010, chapter 15, Laws of 1961 as last amended by section 14, chapter 3, Laws of 1983 2nd ex. sess. and RCW 82.20.010 are each amended to read as follows:

(1) There is levied and there shall be collected a tax upon conveyances as follows: On any deed, instrument, or writing (unless deposited in escrow before May 1, 1935), whereby any lands, tenements, or other reality sold shall be granted, assigned, transferred, or otherwise conveyed to, or vested in, the purchaser, or any other person by his direction, when the consideration or value of the interest or property conveyed, exclusive of the value of any lien or encumbrance remaining thereon at the time of sale, exceeds one hundred dollars and does not exceed five hundred dollars or fractional part thereof, ~~((fifty cents))~~ one dollar; and for each additional five hundred dollars or fractional part thereof, ~~((fifty cents))~~ one dollar.

(2) ((An additional tax is imposed equal to the rate specified in RCW 82.02.030 multiplied by the tax payable under subsection (1) of this section.)) Forty-six and one-half percent of the moneys collected under this section shall be deposited in the public works assistance account created in section 7 of this 1985 act.

(3) This section shall not apply to any instrument or writing, given to secure a debt, nor to any conveyance to the state.

**NEW SECTION.** Sec. 12. (1) The state treasurer shall keep a running tally of the revenue deposited in the public works assistance account under sections 10 and 11 of this act during each biennium. When the running tally exceeds the deposit limit for a biennium, all revenue collected during the remainder of that biennium shall be deposited in the state general fund.

(2) As used in this section:

(a) 'Deposit limit' means:

(i) For the biennium beginning July 1, 1985, forty-five million dollars; and

(ii) For each subsequent biennium, the deposit limit for the preceding biennium multiplied by a fraction. The numerator of the fraction is the implicit price deflator for the immediately preceding calendar year. The denominator of the fraction is the implicit price deflator for the third preceding calendar year.

(b) 'Implicit price deflator' means the implicit price deflator for gross national product published by the United States department of commerce bureau of labor statistics.

**NEW SECTION.** Sec. 13. FEASIBILITY STUDY. The department shall study the feasibility of innovative financing and development alternatives, such as joint development or privatization, by which local governments may provide needed public services to users. The study shall be conducted on an expeditious basis, making maximum use of available expertise. The department shall report to the board and the legislature on the study's conclusions and recommendations as soon as practicable. The sum of \$75,000, or as much thereof as may be necessary, is



appropriated for the biennium ending June 30, 1987, from the public works trust fund to the department of community development for the purpose of this study.

**NEW SECTION.** Sec. 14. SEVERABILITY. 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. 15. REPEALER. The following acts or parts of acts are each repealed:

(1) Section 1, chapter 244, Laws of 1984, section 9, chapter 6, Laws of 1985 and RCW 43.63A.200;

(2) Section 2, chapter 244, Laws of 1984 and RCW 43.79.450; and

(3) Section 3, chapter 244, Laws of 1984 and RCW 43.79.452.

**NEW SECTION.** Sec. 16. CAPTIONS. As used in this act, section captions constitute no part of the law.

**NEW SECTION.** Sec. 17. CODIFICATION. Sections 1 through 8 of this act shall constitute a new chapter in Title 43 RCW.

**NEW SECTION.** Sec. 18. EFFECTIVE DATE. 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, 1985."

On page 1, line 3 of the title, strike "adding a new section to chapter 82.08 RCW; creating a new section;" and insert "creating new sections;"

Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Brekke, Bristow, Hine, J. King, Locke, Madsen, Niemi, Rust, Sayan, L. Smith, Smitherman and Sommers.

MINORITY recommendation: Do not pass. Signed by Representatives Hastings, Holland, Long, G. Nelson, Sanders, Silver, Taylor, Tilly and Vander Stoep.

Voting nay: Representatives Hastings, Holland, Long, G. Nelson, Sanders, Silver, Taylor, Tilly, Vander Stoep and B. Williams.

Passed to Committee on Rules for second reading.

April 5, 1985

**SB 3800** Prime Sponsor, Senator Granlund: Establishing uniformity in the publication of certain legal notices. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, P. King, Lewis, Locke, G. Nelson, Niemi, Padden, Schmidt, Schoon, Tilly, Van Luven and West.

Absent: Representatives Appelwick, P. King, Niemi, Schoon, Van Luven and Wang.

Passed to Committee on Rules for second reading.

April 4, 1985

**E2SSB 3828** Prime Sponsor, Committee on Ways & Means: Reestablishing the Puget Sound water quality authority. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with amendments by Select Committee on the Clean-up and Management of Puget Sound (For amendments, see Journal, 73rd Day, March 27, 1985) and with the following amendments by Committee on Ways & Means:

On page 12, after line 14 of the amendment insert the following:

"(18) Recommendations for implementation of waivers from the uniform national requirements of secondary treatment. In making recommendations the authority shall consider the criteria specified in section 301(h) of the federal clean water act."

Renumber the remaining subsections consecutively.

Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Bristow, Hastings, Hine, Holland, J. King, Locke, Long, Madsen, G. Nelson, Niemi, Rust, Sanders, Sayan, Silver, L. Smith, Smitherman, Sommers, Taylor and B. Williams.

Absent: Representative Tilly.

Passed to Committee on Rules for second reading.

April 4, 1985

SB 3829 Prime Sponsor, Senator Kreidler: Revising provisions relating to the licensing of physicians. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

c "Sec. 1. Section 35, chapter 202, Laws of 1955 as amended by section 61, chapter 30, Laws of 1975 1st ex. sess. and by section 6, chapter 171, Laws of 1975 1st ex. sess. and RCW 18.71.040 are each reenacted and amended to read as follows:

Every applicant for a certificate to practice medicine and surgery shall pay a fee determined by the director as provided in RCW (~~43.24.085 as now or hereafter amended. In addition to the application fee provided for herein, every applicant for licensure by examination shall pay an examination fee of one hundred dollars, which sum shall be refunded in the event the board determines that the applicant is not eligible for examination. In addition to the application fee provided for herein, every applicant for licensure by reciprocity or waiver of examination shall pay a fee of fifty dollars. The director shall charge a fee of fifteen dollars for license certifications~~) 43.24.086.

Sec. 2. Section 3, chapter 60, Laws of 1957 as last amended by section 7, chapter 171, Laws of 1975 1st ex. sess. and RCW 18.71.050 are each amended to read as follows:

Each applicant who has graduated from a school of medicine located in any state, territory or possession of the United States, the District of Columbia, or the Dominion of Canada, shall file an application for licensure with the board on a form prepared by the director with the approval of the board. Each applicant shall furnish proof satisfactory to the board of the following:

(1) That ~~(he)~~ the applicant has attended and graduated from a school of medicine approved by the board;

(2) That ~~(he)~~ the applicant has completed ~~((one))~~ two years of postgraduate medical training in a program acceptable to the board, provided that applicants graduating before the effective date of this 1985 act may complete only one year of post-graduate medical training;

(3) That ~~(he)~~ the applicant is of good moral character;

(4) That ~~(he)~~ the applicant is physically and mentally capable of safely carrying on the practice of medicine. The board may require any applicant to submit to such examination or examinations as it deems necessary to determine an applicant's physical and/or mental capability to safely practice medicine;

(5) That ~~(his)~~ the applicant's license to practice medicine is not at the time of the application revoked or suspended by any licensing agency and that ~~(he)~~ the applicant has not been guilty of any conduct which would constitute grounds for refusal, revocation or suspension of such license under the laws of the state of Washington.

Nothing in this section shall be construed as prohibiting the board from requiring such additional information from applicants as it deems necessary.

Sec. 3. Section 6, chapter 192, Laws of 1909 as last amended by section 10, chapter 171, Laws of 1975 1st ex. sess. and RCW 18.71.070 are each amended to read as follows:

With the exception of those applicants granted licensure through the provisions of RCW 18.71.090 or 18.71.095, applicants for licensure must successfully complete an examination administered by the board to determine their professional qualifications. The board shall prepare and give, or approve the preparation and giving of, an examination which shall cover those general subjects and topics, a knowledge of which is commonly and generally required of candidates for the degree of doctor of medicine conferred by approved colleges or schools of medicine in the United States. Notwithstanding any other provision of law, the board shall have the sole responsibility for determining the proficiency of applicants under this chapter, and, in so doing, may waive any prerequisite to licensure not set forth in this chapter.

The board may by rule establish the passing grade for the examination ~~(, and in so doing may grant credit based on experience. In no event, however, shall credit for experience exceed five percent of the total possible grade)~~.

Examination results shall be part of the records of the board and shall be permanently kept with the applicant's file.

Sec. 4. Section 36, chapter 202, Laws of 1955 as last amended by section 53, chapter 158, Laws of 1979 and by sections 54 and 55, chapter 158, Laws of 1979 and RCW 18.71.080 are each reenacted and amended to read as follows:

Every person licensed to practice medicine in this state shall register with the director of licensing annually, and pay an annual renewal registration fee determined by the director as provided in RCW (~~43.24.085 as now or hereafter amended, on or before the first day of July of each year~~) 43.24.086. The board may establish rules and regulations governing mandatory continuing education requirements which shall be met by physicians applying for renewal of licenses. Any failure to register and pay the annual renewal registration fee shall render the license invalid, but such license shall be reinstated upon written application therefor to the

director, and payment to the state of a penalty fee determined by the director as provided in RCW (~~(43-24-085 as now or hereafter amended)~~) 43.24.086, together with all delinquent annual license renewal fees: PROVIDED, HOWEVER, That any person who fails to renew ~~((his))~~ the license for a period of three years, shall in no event be entitled to renew ~~((his))~~ the license under this section. Such a person in order to obtain a license to practice medicine in this state, shall file an original application as provided for in this chapter, along with the requisite fee therefor. The board, in its sole discretion, may permit such applicant to be licensed without examination if it is satisfied that such applicant meets all the requirements for licensure in this state, and is competent to engage in the practice of medicine.

Sec. 5. Section 11, chapter 134, Laws of 1919 as last amended by section 63, chapter 30, Laws of 1975 1st ex. sess. and by section 12, chapter 171, Laws of 1975 1st ex. sess. and RCW 18.71.090 are each reenacted to read as follows:

Any applicant who meets the requirements of RCW 18.71.050 and has been licensed under the laws of another state, territory, or possession of the United States, or of any province of Canada, or an applicant who has satisfactorily passed examinations given by the national board of medical examiners may, in the discretion of the board, be granted a license without examination on the payment of the fees required by this chapter: PROVIDED, That ~~((he))~~ the applicant must file with the board a copy of ~~((his))~~ the license certified by the proper authorities of the issuing state to be a full, true copy thereof, and must show that the standards, eligibility requirements and examinations of that state are at least equal in all respects to those of this state.

Sec. 6. Section 1, chapter 189, Laws of 1959 as last amended by section 13, chapter 171, Laws of 1975 1st ex. sess. and RCW 18.71.095 are each amended to read as follows:

The board may, without examination, issue a limited license to persons who possess the qualifications set forth herein:

(1) The board may, upon the written request of the secretary of the department of social and health services or the secretary of corrections, issue a limited license to practice medicine in this state to persons who have been accepted for employment by the department of social and health services or the department of corrections as physicians; who are licensed to practice medicine in another state of the United States or in the country of Canada or any province or territory thereof; and who meet all of the qualifications for licensure set forth in RCW 18.71.050.

Such license shall permit the holder thereof to practice medicine only in connection with patients, residents, or inmates of the state institutions under the control and supervision of the secretary of the department of social and health services or the department of corrections.

(2) The board may issue a limited license to practice medicine in this state to persons who have been accepted for employment by a county or city health department as physicians; who are licensed to practice medicine in another state of the United States or in the country of Canada or any province or territory thereof; and who meet all of the qualifications for licensure set forth in RCW 18.71.050.

Such license shall permit the holder thereof to practice medicine only in connection with his or her duties in employment with the city or county health department.

(3) Upon receipt of a completed application showing that the applicant meets all of the requirements for licensure set forth in RCW 18.71.050 except for completion of ~~((one))~~ two years of postgraduate medical training, and that the applicant has been appointed as a resident physician in a program of postgraduate clinical training in this state approved by the board, the board may issue a limited license to a resident physician. Such license shall permit the resident physician to practice medicine only in connection with his or her duties as a resident physician and shall not authorize ~~((him))~~ the physician to engage in any other form of practice. Each resident physician shall practice medicine only under the supervision and control of a physician licensed in this state, but such supervision and control shall not be construed to necessarily require the personal presence of the supervising physician at the place where services are rendered.

All persons licensed under this section shall be subject to the jurisdiction of the medical disciplinary board to the same extent as other members of the medical profession, in accordance with chapter 18.72 RCW and in addition, the limited license to practice medicine in the state of Washington may be revoked by the medical disciplinary board after a hearing has been held in accordance with the provisions set forth in chapter 18.72 RCW, and determination made by the medical disciplinary board that such licensee has violated the limitations set forth herein.

Persons applying for licensure pursuant to this section shall pay an application fee (~~((of twenty-five dollars))~~) determined by the director as provided in RCW 43.24.086 and, in the event the license applied for is issued, a license fee at the rate provided for renewals of licenses generally. Licenses issued hereunder may be renewed annually pursuant to the provisions of RCW 18.71.080(~~(-PROVIDED, That a limited license for a resident physician may not be renewed until such resident physician has successfully completed either all parts of the examination given by the national board of medical examiners or an equivalent examination approved by the board. Interim approval may be granted until the result of such examination~~

becomes available)). Any person who obtains a limited license pursuant to this section may, without an additional application fee, apply for licensure under this chapter.

Sec. 7, Section 2, chapter 233, Laws of 1977 ex. sess. and RCW 18.71A.080 are each amended to read as follows:

(1) The performance of acupuncture for the purpose of demonstration, therapy, or the induction of analgesia by a person licensed under this chapter shall be within the scope of practice authorized: PROVIDED, HOWEVER, That a person licensed to perform acupuncture under this section shall only do so under the direct supervision of a licensed physician.

(2) The board shall determine the qualifications of a person authorized to perform acupuncture under subsection (1) of this section. ~~(In establishing a procedure for certification of such practitioners the board shall consider a license or certificate which acknowledges that the person has the qualifications to practice acupuncture issued by the government of the Republic of China (Taiwan), the Peoples Republic of China, British Crown Colony of Hong Kong, Korea, Great Britain, France, the Federated Republic of Germany (West Germany), Italy, Japan, or any other country or state which has generally equivalent standards of practices of acupuncture as determined by the board as evidence of such qualification.))~~

(3) As used in this section 'acupuncture' means the insertion of needles into the human body by piercing the skin of the body for the purpose of relieving pain, treating disease, or to produce analgesia, or as further defined by rules and regulations of the board."

Signed by Representatives Brekke, Chair; Day, Vice Chair; Ballard, Brooks, Dellwo, Dobbs, Leonard, Lewis, Lux, Padden, Scott, Tanner, West and Winsley.

Absent: Representatives Armstrong, Braddock and S. Wilson.

Passed to Committee on Rules for second reading.

April 5, 1985

SB 3830 Prime Sponsor, Senator Garrett: Requiring full compensation for street vacations acquired at public expense. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Allen, Bristow, Brough, Doty, Ebersole, Hine, May, Rayburn and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representatives Isaacson and Winsley.

Voting nay: Representatives Isaacson, Patrick and Winsley.

Absent: Representatives Doty and Smitherman.

Passed to Committee on Rules for second reading.

April 4, 1985

ESB 3846 Prime Sponsor, Senator Gaspard: Changing certain requirements regarding public schools' in-service needs assessments. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Ebersole, Chair; Valle, Vice Chair; Betrozoff, Chandler, Cole, Fuhrman, Holland, Long, Peery, Rayburn, Rust, Schoon, L. Smith, Taylor, Todd and Walker.

Absent: Representatives Appelwick, P. King and Wang.

Passed to Committee on Rules for second reading.

April 4, 1985

ESB 3852 Prime Sponsor, Senator Wojahn: Modifying the joint legislative committee on child support. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass with the following amendments: Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 8. Section 36, chapter 260, Laws of 1984 (uncodified) is repealed."

On page 1, line 2 of the title, strike "amending" and insert "repealing"

Signed by Representatives Brekke, Chair; Day, Vice Chair; Ballard, Brooks, Dellwo, Dobbs, Leonard, Lewis, Lux, Padden, Scott, Tanner, West and Winsley.

Absent: Representatives Braddock and S. Wilson.

Passed to Committee on Rules for second reading.

April 3, 1985

ESSB 3856

Prime Sponsor, Committee on Commerce & Labor: Establishing a state fire protection board. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

**NEW SECTION.** Sec. 1. The legislature finds that fire protection services have lacked a comprehensive state-level focus. This has resulted in a lack of cooperation and coordination between local and state agencies. The purpose of this chapter is to create a broadly representative state board which will: (1) Advise and assist local fire protection agencies in program development without encroaching upon their historic autonomy; (2) centralize traditional state fire protection services under the jurisdiction of a single state board; and (3) advise the governor and the legislature on fire protection matters in this state.

**NEW SECTION.** Sec. 2. There is created the state fire protection board consisting of the following ten members appointed by the governor with the advice and consent of the senate:

(1) Three representatives of fire chiefs. At least one shall be from a fire department east of the Cascade mountains and at least one shall be from a fire department west of the Cascade mountains. One shall be from a fire protection district;

- (2) One insurance industry representative;
- (3) One representative of cities and towns;
- (4) One representative of counties;
- (5) Two full-time, paid, career fire fighters;
- (6) One volunteer fire fighter; and
- (7) One representative of fire commissioners.

The commissioner of public lands, the insurance commissioner, and the chairperson of the commission for vocational education, or their designees, are nonvoting ex officio members of the state fire protection board.

In making the appointments required under subsections (1) through (7) of this section, the governor shall (a) seek the advice of and consult with organizations involved in fire protection; and (b) ensure that racial minorities, women, and persons with disabilities are represented.

**NEW SECTION.** Sec. 3. Each voting member of the state fire protection board shall be appointed to a term of three years and until a successor is appointed and qualified. However, in making the initial appointments to the board, the governor shall stagger the terms of office by appointing three members to terms of one year, three members to terms of two years, and four members to terms of three years. In the case of a vacancy, the governor shall fill the unexpired term of the member whose office has become vacant. An office shall become vacant whenever a member ceases to be employed in the occupation the member was appointed to represent.

**NEW SECTION.** Sec. 4. Members of the state fire protection board shall be compensated in accordance with RCW 43.03.240. Members of the board shall be reimbursed for travel expenses under RCW 43.03.050 and 43.03.060.

**NEW SECTION.** Sec. 5. The governor shall select one member of the board to serve as chairperson. The board shall be convened at least six times annually at the call of the chairperson or a majority of the board. A majority of the board constitutes a quorum for the transaction of business.

**NEW SECTION.** Sec. 6. The state fire protection board shall:

(1) Establish suggested minimum standards with respect to physical requirements and education and training of fire service personnel;

(2) Establish suggested minimum standards for fire apparatus and equipment;

(3) Establish suggested minimum performance standards for all grades of fire service personnel;

(4) Adopt and implement a state fire protection master plan;

(5) Monitor fire protection in the state and develop objectives and priorities to improve fire protection for the state's citizens;

(6) Review the duties, responsibilities, and authority of state agencies and departments that deal with fire and life safety and make such recommendations to the governor and the legislature that will eliminate duplication and fragmentation of fire protection services;

(7) Establish and promote state arson control programs and encourage development of local arson control programs including formation of local and regional arson task forces;

(8) Represent fire protection services in all state level fire protection planning in matters such as, but not limited to, hazardous materials;

(9) Establish and promote programs of fire safety education for school systems and the public;

(10) Coordinate interaction between state agencies, federal fire protection agencies operating within the state, and political fire protection subdivisions of the state in matters pertinent to common concerns;

(11) Seek and solicit grants, gifts, bequests, devices, and matching funds for use in furthering the objectives and duties of the board, and establish procedures for administering them;

(12) When funds are available, make grants for use in pursuing the board's objectives;

(13) Promote mutual aid and disaster planning for fire services in this state;

(14) Disseminate within the state information concerning the amount of fire damage, including that damage caused by arson, and its causes and prevention;

(15) Make studies, reports, and recommendations to the governor and the legislature when requested or warranted; and

(16) Adopt such rules as necessary for the administration of this chapter.

This section does not apply to forest fire service personnel and programs.

NEW SECTION, Sec. 7. The state fire protection board shall:

(1) Administer any legislation enacted by the legislature in pursuance of the aims and purposes of any acts of congress insofar as the provisions thereof may apply to the administration of fire service training;

(2) Establish and provide state-wide fire service training and education courses, including courses in arson detection and investigation, for personnel of fire, police, and prosecutors' departments;

(3) Construct, equip, maintain, and operate necessary fire service training and education facilities. The board's authority to construct, equip, and maintain such facilities is subject to chapter 43.19 RCW;

(4) Purchase, lease, rent, or otherwise acquire real estate necessary to establish and operate fire service training and education facilities in the manner provided by law;

(5) Cooperate with the common schools, the community colleges, the institutions of higher education, and any department or division of the state or of any county or municipal corporation, in establishing and maintaining instruction in fire service training and education in accordance with any act of congress and legislation enacted by the legislature in pursuance thereof, and in establishing, building, and operating training and education facilities;

(6) Administer the funds provided by the federal government and by the state under any federal or state acts for the promotion of fire service training and education;

(7) Adopt and implement a state fire training and education master plan; and

(8) Establish certification programs for fire service personnel available to any state or local governmental agency which elects to participate.

This section does not apply to forest fire service personnel and programs. Industrial fire departments and private fire investigators may participate in training and education programs under this chapter for a reasonable fee under rules established by the board.

NEW SECTION, Sec. 8. Any person who receives an adverse decision under this chapter may appeal that decision in accordance with chapter 34.04 RCW, the administrative procedure act.

NEW SECTION, Sec. 9. The board shall determine the qualifications of and employ a chief executive officer who shall be known as the director of fire protection.

NEW SECTION, Sec. 10. The director of fire protection shall appoint and supervise:

(1) An assistant director to serve as state fire marshal;

(2) An assistant director to serve as administrator of fire service training and education; and

(3) All additional staff necessary to carry out functions under the board's jurisdiction, including deputy state fire marshals and resident fire marshals who shall meet the minimum certification standards established by the board.

NEW SECTION, Sec. 11. A new section is added to chapter 41.06 RCW to read as follows:

In addition to the exemptions set forth in RCW 41.06.070, this chapter shall not apply in the office of the state fire protection board to the director and the assistant directors appointed under sections 9 and 10 of this act.

Sec. 12. Section 1, chapter 349, Laws of 1977 ex. sess. and RCW 28C.50.010 are each amended to read as follows:

For the purpose of providing needed capital improvements consisting of the planning, acquisition, construction, remodeling, furnishing and equipping of a state fire service training center for the (~~commission for vocational education~~) state fire protection board, the state finance committee is authorized to issue general obligation bonds of the state of Washington in the sum of one million dollars, or so much thereof as may be required to finance such projects, and all costs incidental thereto. No bonds authorized by this chapter shall be offered for sale without prior legislative appropriation, and these bonds shall be paid and discharged within thirty years of the date of issuance in accordance with Article VIII, section 1 of the state Constitution.

Sec. 13. Section 5, chapter 349, Laws of 1977 ex. sess. and RCW 28C.50.050 are each amended to read as follows:

The 1977 state fire service training center bond retirement fund is hereby created in the state treasury for the purpose of the payment of principal of and interest on the bonds authorized to be issued pursuant to this chapter or, if the legislature so determines, for any bonds and

notes hereafter authorized and issued for the (~~commission for vocational education~~) state fire protection board.

The state finance committee, on or before June 30th of each year, shall certify to the state treasurer the amount required in the next succeeding twelve months for the payment of the principal of and the interest coming due on such bonds. Not less than thirty days prior to the date on which any such interest or principal and interest payment is due, the state treasurer shall withdraw from any general state revenues received in the state treasury and deposit in the 1977 state fire service training center bond retirement fund an amount equal to the amount certified by the state finance committee to be due on such payment date.

Sec. 14. Section 1, chapter 225, Laws of 1979 ex. sess. as amended by section 1, chapter 48, Laws of 1982 1st ex. sess. and RCW 28C.51.010 are each amended to read as follows:

For the purpose of providing needed capital improvements consisting of the planning, acquisition, construction, remodeling, furnishing and equipping of a state fire service training center for the (~~commission for vocational education~~) state fire protection board, the state finance committee is authorized to issue general obligation bonds of the state of Washington in the sum of six million dollars, or so much thereof as may be required, to finance these projects, and all costs incidental thereto. No bonds authorized by this chapter shall be offered for sale without prior legislative appropriation, and these bonds shall be paid and discharged within thirty years of the date of issuance in accordance with Article VIII, section 1 of the state Constitution.

Sec. 15. Section 5, chapter 225, Laws of 1979 ex. sess. and RCW 28C.51.050 are each amended to read as follows:

The 1977 state fire service training center bond retirement fund in the state treasury shall be used for the purpose of the payment of principal of and interest on the bonds and notes authorized under this chapter or, if the legislature so determines, for any bonds and notes hereafter authorized and issued for the (~~commission for vocational education~~) state fire protection board.

The state finance committee, on or before June 30th of each year, shall certify to the state treasurer the amount required in the next succeeding twelve months for the payment of the principal of and the interest coming due on the bonds. Not less than thirty days prior to the date on which any interest or principal and interest payment is due, the state treasurer shall withdraw from any general state revenues received in the state treasury and deposit in the 1977 state fire service training center bond retirement fund an amount equal to the amount certified by the state finance committee to be due on the payment date.

Sec. 16. Section .05.32, chapter 79, Laws of 1947 and RCW 48.05.320 are each amended to read as follows:

(1) Each authorized insurer shall promptly report to the (~~commissioner~~) state fire protection board, upon forms as prescribed and furnished by (~~him~~) the board, each fire loss of property in this state reported to it (~~and of undetermined or suspected criminal origin~~) and whether the loss is due to criminal activity or to undetermined causes.

(2) (~~As may be requested by the commissioner~~) Each such insurer shall likewise report to (~~him~~) the board upon claims paid by it for loss or damage by fire in this state. Copies of all reports required by this section shall be promptly transmitted to the state insurance commissioner.

Sec. 17. Section .33.03, chapter 79, Laws of 1947 and RCW 48.48.030 are each amended to read as follows:

(1) The state fire protection board, through the state fire marshal or any deputy state fire marshal, shall have authority at all times of day and night, in the performance of duties imposed by this chapter, to enter upon and examine any building or premises where any fire has occurred and other buildings and premises adjoining or near thereto.

(2) The state fire protection board, through the state fire marshal or any deputy state fire marshal, shall have authority at any reasonable hour to enter into any public building or premises or any building or premises used for public purposes to inspect for fire hazards.

(3) Within his or her jurisdiction a resident fire marshal may exercise like powers as are conferred by subsections (1) and (2) of this section upon the state fire (~~marshal~~) protection board. Such power in a resident fire marshal shall not be to the exclusion of any power of the state fire (~~marshal or of any deputy state fire marshal~~) protection board.

Sec. 18. Section .33.04, chapter 79, Laws of 1947 and RCW 48.48.040 are each amended to read as follows:

(1) In jurisdictions within this state other than those in which there is in force a comprehensive local fire prevention and safety code, the state fire protection board, through the state fire marshal or any deputy fire marshal, shall have authority to enter upon all premises and into all buildings except private dwellings for the purpose of inspection to ascertain if any fire hazard exists, and to require conformance with minimum standards for the prevention of fire and for the protection of life and property against fire and panic as to use of premises, and may adopt by reference nationally recognized standards applicable to local conditions.

(2) A resident fire marshal shall have authority to enforce within his or her jurisdiction such ordinances and laws relative to fire prevention and safety and use of premises as may be in

force therein. In areas outside those covered by such local fire prevention and safety codes, the jurisdiction of any such resident fire marshal shall be subordinate to that of the state fire ((marshal)) protection board.

(3) In areas covered by such fire prevention and safety codes the state fire ((marshal)) protection board may, upon request by the chief fire official or the local governing body or of taxpayers of such area, assist in the enforcement of any such code.

Sec. 19. Section 1, chapter 70, Laws of 1972 ex. sess. as amended by section 3, chapter 198, Laws of 1981 and RCW 48.48.045 are each amended to read as follows:

Standards for construction relative to fire prevention and safety for all schools under the jurisdiction of the superintendent of public instruction and state board of education shall be established by the state fire ((marshal-who)) protection board, which shall adopt such nationally recognized fire and building codes and standards as may be applicable to local conditions. After the approval of such standards by the superintendent of public instruction and the state board of education, the ((fire-marshal)) state fire protection board shall make or cause to be made plan reviews and construction inspections as may be necessary to insure compliance with said codes and standards.

Political subdivisions of the state having and enforcing such fire and building codes and standards at least equal to or higher than those by the state fire ((marshal)) protection board as provided for in this section shall be exempted from the plan review and construction inspection provisions of this section within their respective subdivision for as long as such codes and standards are enforced.

Sec. 20. Section .33.05, chapter 79, Laws of 1947 and RCW 48.48.050 are each amended to read as follows:

(1) If the state fire marshal or ((his)) the marshal's deputy finds in any building or premises subject to their inspection under this chapter, any combustible material or flammable conditions or fire hazards dangerous to the safety of the building, premises, or to the public, he or she shall by written order require such condition to be remedied, and such order shall forthwith be complied with by the owner or occupant of the building or premises.

(2) An owner or occupant aggrieved by any such order made by the state fire marshal or a deputy state fire marshal may within five days after the date of the order appeal to the state fire ((marshal)) protection board. If the state fire ((marshal)) protection board confirms the order, the order shall remain in force and be complied with by the owner or occupant.

(3) Any owner or occupant failing to comply with any such order not appealed from or with any order so confirmed shall be punishable by a fine of not less than ten dollars nor more than fifty dollars for each day such failure exists.

Sec. 21. Section .33.06, chapter 79, Laws of 1947 as last amended by section 1, chapter 104, Laws of 1981 and RCW 48.48.060 are each amended to read as follows:

(1) The chief of each organized fire department, the sheriff or other designated county official, and the designated city or town official shall investigate the cause, origin, and extent of loss of all fires occurring within their respective jurisdictions, as determined by this subsection, and shall forthwith notify the state fire ((marshal)) protection board of all fires of criminal, suspected, or undetermined cause occurring within their respective jurisdictions. The county fire marshal shall also be notified of and investigate all such fires occurring in unincorporated areas of the county. Fire departments shall have the responsibility imposed by this subsection for areas within their jurisdictions. Sheriffs or other designated county officials shall have responsibility imposed by this subsection for county areas not within the jurisdiction of a fire department, unless such areas are within the boundaries of a city or town, in which case the designated city or town official shall have the responsibility imposed by this subsection. For the purposes of this subsection, county officials shall be designated by the county legislative authority, and city or town officials shall be designated by the appropriate city or town legislative or executive authority. In addition to the responsibility imposed by this subsection, any sheriff or chief of police may assist in the investigation of the cause, origin, and extent of loss of all fires occurring within his or her respective jurisdiction.

(2) The state fire ((marshal)) protection board may investigate any fire for the purpose of determining its cause, origin, and the extent of the loss. The state fire ((marshal)) protection board shall assist in the investigation of those fires of criminal, suspected, or undetermined cause when requested by the reporting agency. In the investigation of any fire of criminal, suspected, or undetermined cause, the state fire protection board, the state fire marshal, deputy state fire marshals, or resident fire marshals, acting within their jurisdiction, are vested with police powers to enforce the laws of this state. To exercise these powers, state deputy and resident fire marshals must receive prior written authorization from the state fire ((marshal)) protection board, and have completed a course of training prescribed by the Washington state criminal justice training commission.

Sec. 22. Section 2, chapter 181, Laws of 1980 and RCW 48.48.065 are each amended to read as follows:

(1) Beginning September 1, 1980, the chief of each organized fire department, or the sheriff or other designated county official having jurisdiction over areas not within the jurisdiction of any fire department, shall report statistical information and data to the state fire ((marshal))



protection board on each fire occurring within the official's jurisdiction. Reports shall be consistent with the national fire incident reporting system developed by the United States fire administration and rules established by the state fire marshal. The state fire ((marshal)) protection board and the department of natural resources shall jointly determine the statistical information to be reported on fires on land under the jurisdiction of the department of natural resources.

(2) The state fire ((marshal)) protection board shall analyze the information and data reported, compile a report, and distribute a copy annually by January 31 to each chief fire official in the state. Upon request, the state fire ((marshal)) protection board shall also furnish a copy of the report to any other interested person at cost.

Sec. 23. Section .33.07, chapter 79, Laws of 1947 and RCW 48.48.070 are each amended to read as follows:

In the conduct of any investigation into the cause, origin, or loss resulting from any fire, the state fire ((marshal)) protection board shall have the same power and rights relative to securing the attendance of witnesses and the taking of testimony under oath as is conferred upon the commissioner under RCW 48.03.070. False swearing by any such witness shall be deemed to be perjury and shall be subject to punishment as such.

Sec. 24. Section .33.08, chapter 79, Laws of 1947 and RCW 48.48.080 are each amended to read as follows:

If as the result of any such investigation, or because of any information received by ((him; ~~the state fire marshal~~)) it, the state fire protection board is of the opinion that there is evidence sufficient to charge any person with any crime, ((he)) it may cause such person to be arrested and charged with such offense, and shall furnish to the prosecuting attorney of the county in which the offense was committed, the names of witnesses and all pertinent and material evidence and testimony within ((his)) its possession relative to the offense.

Sec. 25. Section .33.09, chapter 79, Laws of 1947 and RCW 48.48.090 are each amended to read as follows:

The state fire ((marshal)) protection board shall keep on file ((in his office)) all reports of fires made to ((him)) it or to the commissioner pursuant to this code. Such records shall at all times during business hours be open to public inspection; except that any testimony taken in a fire investigation may, in the discretion of the state fire ((marshal)) protection board, be withheld from public scrutiny. The state fire ((marshal)) protection board may destroy any such report after five years from its date.

Sec. 26. Section .33.11, chapter 79, Laws of 1947 as amended by section 71, chapter 75, Laws of 1977 and RCW 48.48.110 are each amended to read as follows:

The state fire ((marshal)) protection board shall submit annually a report to the governor of this state. The report shall contain a statement of ((his)) its official acts pursuant to this chapter.

Sec. 27. Section 2, chapter 80, Laws of 1979 ex. sess. and RCW 48.50.020 are each amended to read as follows:

As used in this chapter the following terms have the meanings indicated unless the context clearly requires otherwise.

(1) 'Authorized agency' means a public agency or its official representative having legal authority to investigate the cause of a fire and to initiate criminal proceedings or further investigations if the cause was not accidental, including the following agencies:

- (a) The state fire ((marshal)) protection board;
- (b) The prosecuting attorney of the county where the fire occurred;
- (c) The state attorney general, when engaged in a prosecution which is or may be connected with the fire;
- (d) The Federal Bureau of Investigation, or any other federal agency; and
- (e) The United States attorney's office when authorized or charged with investigation or prosecution concerning the fire.

(2) 'Insurer' means any insurer, as defined in RCW 48.01.050, which insures against loss by fire, and includes insurers under the Washington F.A.I.R. plan.

(3) 'Relevant information' means information having any tendency to make the existence of any fact that is of consequence to the investigation or determination of the cause of any fire more probable or less probable than it would be without the information.

**NEW SECTION.** Sec. 28. All reports, documents, surveys, books, records, files, papers, or other written material in the possession of the insurance commissioner pertaining to the office of the state fire marshal shall be delivered to the custody of the state fire protection board. All cabinets, furniture, office equipment, motor vehicles, and other tangible property employed by the insurance commissioner in carrying out the powers and duties of the state fire marshal shall be made available to the state fire protection board. All funds, credits, or other assets held in connection with the state fire marshal's office shall be assigned to the state fire protection board.

Any appropriations made to the insurance commissioner for the purpose of carrying out the powers and duties of the state fire marshal, shall, on the effective date of this act, be transferred and credited to the state fire protection board for the purpose of carrying out the transferred powers and duties.

Whenever any question arises as to the transfer of any personnel, funds, including unexpended balances within any accounts, books, documents, records, papers, files, equipment, or any other tangible property used or held in the exercise of the powers and the performance of the duties and functions of the state fire marshal's office, the director of financial management shall make a determination as to the proper allocation and certify the same to the state agencies concerned.

**NEW SECTION.** Sec. 29. All classified employees of the state fire marshal's office are transferred to the jurisdiction of the state fire protection board. All such employees shall be subject to chapter 41.06 RCW, the state civil service law, and shall be assigned to the state fire protection board to perform their usual duties upon the same terms as formerly, without any loss of rights, subject to any action that may be appropriate thereafter in accordance with the laws and rules governing state civil service.

**NEW SECTION.** Sec. 30. All rules and regulations and all pending business before the state fire marshal's office on the effective date of this act shall be continued and acted upon under the jurisdiction of the state fire protection board. All existing contracts and obligations shall remain in full force and effect and shall be performed by the state fire protection board.

**NEW SECTION.** Sec. 31. The transfer of the powers, duties, functions, and personnel of the state fire marshal's office shall not affect the validity of any act performed by such employee prior to the effective date of this act.

**NEW SECTION.** Sec. 32. All reports, documents, surveys, books, records, files, papers, or written material in the possession of the commission for vocational education and pertaining to fire service training shall be delivered to the custody of the state fire protection board. All cabinets, furniture, office equipment, motor vehicles, and other tangible property employed by the commission for vocational education in fire service training shall be made available to the state fire protection board. All funds, credits, or other assets held in connection with fire service training shall be assigned to the state fire protection board.

Any appropriations made to the commission for vocational education for fire service training shall, on the effective date of this act, be transferred and credited to the state fire protection board.

Whenever any question arises as to the transfer of any personnel, funds, including unexpended balances within any accounts, books, documents, records, papers, files, equipment, or any other tangible property used or held in the exercise of the powers and the performance of the duties and functions transferred, the director of financial management shall make a determination as to the proper allocation and certify the same to the state agencies concerned.

**NEW SECTION.** Sec. 33. All classified employees of the commission for vocational education engaged in fire service training are transferred to the jurisdiction of the state fire protection board. All employees classified under chapter 41.06 RCW, the state civil service law, are assigned to the state fire protection board to perform their usual duties upon the same terms as formerly, without any loss of rights, subject to any action that may be appropriate thereafter in accordance with the laws and rules governing state civil service.

**NEW SECTION.** Sec. 34. All rules and regulations and all pending business before the commission for vocational education pertaining to fire service training shall be continued and acted upon by the state fire protection board. All existing contracts and obligations shall remain in full force and effect and shall be performed by the state fire protection board.

**NEW SECTION.** Sec. 35. The transfer of the powers, duties, functions, and personnel of the commission for vocational education pertaining to fire service training shall not affect the validity of any act performed by such employee prior to the effective date of this act.

**NEW SECTION.** Sec. 36. If apportionments of budgeted funds are required because of the transfers directed by sections 28 through 35 of this act, the director of financial management shall certify the apportionments to the agencies affected, the state auditor, and the state treasurer. Each of these shall make the appropriate transfer and adjustments in funds and appropriation accounts and equipment records in accordance with the certification.

**NEW SECTION.** Sec. 37. The following acts or parts of acts are each repealed:

- (1) Section 1, chapter 98, Laws of 1969 ex. sess. and RCW 28C.04.140;
- (2) Section .33.01, chapter 79, Laws of 1947 and RCW 48.48.010;
- (3) Section .33.02, chapter 79, Laws of 1947, section 17, chapter 241, Laws of 1969 ex. sess. and RCW 48.48.020;
- (4) Section .33.10, chapter 79, Laws of 1947 and RCW 48.48.100; and
- (5) Section .33.13, chapter 79, Laws of 1947 and RCW 48.48.130.

**NEW SECTION.** Sec. 38. 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. 39. Sections 1 through 10 of this act are each added to chapter 48.48 RCW.

**NEW SECTION.** Sec. 40. This act shall take effect on January 1, 1986. However, to insure that this act is fully implemented on its effective date, the state fire protection board and its director shall be appointed in accordance with this act by October 1, 1985."

On page 1, on line 2 of the title, after "28C.51.010," strike the remainder of the title and insert "28C.51.050, 48.05.320, 48.48.030, 48.48.040, 48.48.045, 48.48.050, 48.48.060, 48.48.065, 48.48.070, 48.48.080, 48.48.090, 48.48.110, and 48.50.020; adding a new section to chapter 41.06 RCW; adding new sections to chapter 48.48 RCW; creating new sections; repealing RCW 28C.04.140, 48.48.010, 48.48.020, 48.48.100, and 48.48.130; and providing an effective date."

Signed by Representatives Belcher, Chair; Peery, Vice Chair; Baugher, Brooks, Hankins, O'Brien, Todd, Vekich and Walk.

MINORITY recommendation: Do not pass. Signed by Representatives Fuhrman, Sanders, Taylor and van Dyke.

Passed to Committee on Rules for second reading.

April 4, 1985

ESSB 3877 Prime Sponsor, Committee on Natural Resources: Revising provisions relating to personal use licenses of the department of fisheries. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass with the following amendments:  
 On page 1, beginning on line 9 strike "sixteen" and insert "fourteen"  
 On page 1, line 15 after "nonresidents," insert "Nonresidents may purchase a two consecutive day personal use license for three dollars."  
 On page 1, line 24 after "person" strike "sixteen" and insert "fourteen"  
 On page 2, beginning on line 9 strike "sixteen" and insert "((sixteen)) fourteen"  
 On page 2, line 9 after "older" strike all material through "age," and insert "((-and under seventy years of age:))"  
 On page 2, line 12 after "who" insert "is fishing from a licensed charter boat and"  
 On page 2, line 34 after "license" strike "and salmon punchcard"  
 On page 3, line 1 after "license" strike "and salmon punchcard"  
 On page 3, line 2 after "issued" insert "free"  
 On page 3, line 3 after "holder," insert a new subsection as follows:  
"(3) A person seventy years of age or older who has been a resident for ten years may receive a personal use license upon payment of a fee equal to one-half of the amount specified in this chapter."

Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Basich, Belcher, Cole, Fuhrman, Hankins, Hargrove, Haugen, Leonard, D. Nelson and Sayan.

MINORITY recommendation: Do not pass. Signed by Representatives Lundquist, Sanders, Thomas, van Dyke and J. Williams.

Voting nay: Representatives Dobbs, Lundquist, McMullen, Sanders, Thomas, van Dyke, J. Williams and S. Wilson.

Passed to Committee on Rules for second reading.

April 4, 1985

ESSB 3904 Prime Sponsor, Committee on Human Services & Corrections: Permitting self-medication in board homes under certain circumstances. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass with the following amendment:  
 Strike everything after the enacting clause and insert the following:  
 "Sec. 1. Section 1, chapter 253, Laws of 1957 and RCW 18.20.010 are each amended to read as follows:

The purpose of this chapter is to provide for the development, establishment, and enforcement of standards for the maintenance and operation of boarding homes, which, in the light of advancing knowledge, will promote safe and adequate care of the individuals therein. It is further the intent of the legislature that boarding homes be available to meet the needs of those for whom they care by recognizing the capabilities of individuals to direct their self-medication or to use supervised self-medication techniques when ordered and approved by a physician licensed under chapter 18.57 or 18.71 RCW or a podiatrist licensed under chapter 18.22 RCW.

Sec. 2. Section 16, chapter 253, Laws of 1957 as amended by section 1, chapter 43, Laws of 1975 1st ex. sess. and RCW 18.20.160 are each amended to read as follows:

No person operating a boarding home licensed under this chapter shall admit to or retain in the boarding home any aged person requiring nursing or medical care of a type provided by institutions licensed under chapters 18.51, 70.41 or 71.12 RCW, except that when registered

nurses are available (~~from a visiting nurse service or home health agency or from an adjacent or nearby skilled nursing facility or one located in the facility~~), and upon a doctor's order that a supervised medication service is needed, it may be provided. Supervised medication services, as defined by the department, may include an approved program of self-medication or self-directed medication. Such medication service shall be provided only to ~~(ambulatory)~~ boarders who otherwise meet all requirements for residency in a boarding home."

Signed by Representatives Brekke, Chair; Day, Vice Chair; Ballard, Brooks, Dellwo, Dobbs, Leonard, Lewis, Lux, Padden, Scott, Tanner, West and Winsley.

Absent: Representatives Armstrong, Braddock and S. Wilson.

Passed to Committee on Rules for second reading.

April 5, 1985

SB 3906 Prime Sponsor, Senator Talmadge: Modifying provisions on pornography and moral nuisances. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

\*Sec. 1. Section 4, chapter 184, Laws of 1982 and RCW 7.48A.040 are each amended to read as follows:

(1) No person shall with knowledge maintain a moral nuisance.

(2) Upon a determination that a defendant has with knowledge maintained a moral nuisance, the court shall impose a civil ~~(penalty)~~ fine and judgment of an amount as the court ~~(may)~~ shall determine to be appropriate. In imposing the civil ~~(penalty)~~ fine, the court shall consider the willfulness of the defendant's conduct and the profits made by the defendant attributable to the ~~(moral nuisance)~~ lewd matter, lewdness, or prostitution, whichever is applicable. In no event shall the civil fine exceed the greater of twenty-five thousand dollars or these profits.

Sec. 2. Section 5, chapter 184, Laws of 1982 and RCW 7.48A.050 are each amended to read as follows:

All civil ~~(penalties)~~ fines assessed under RCW 7.48A.040 shall be paid into the general treasury of the governmental unit commencing the civil action.

Sec. 3. Section 8, chapter 184, Laws of 1982 and RCW 9.68.140 are each amended to read as follows:

A person who, for profit-making purposes and with knowledge, sells, exhibits, displays, or produces any lewd matter as defined in RCW 7.48A.010 is guilty of promoting pornography. Promoting pornography is a class C felony and shall bear the punishment and fines prescribed for that class of felony ~~(except that upon conviction of promoting pornography the court shall impose a fine of not less than five thousand dollars per count nor more than fifty thousand dollars per count)~~. In imposing the criminal penalty, the court shall consider the willfulness of the defendant's conduct and the profits made by the defendant attributable to the felony. All fines assessed under this chapter shall be paid into the general treasury of the state.

NEW SECTION. Sec. 4. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 5. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, P. King, Lewis, Locke, G. Nelson, Padden, Schmidt, Schoon, Tilly, Van Luven and West.

Absent: Representatives Appelwick, Niemi and Wang.

Passed to Committee on Rules for second reading.

April 5, 1985

ESSB 3911 Prime Sponsor, Committee on Governmental Operations: Providing for increased opportunity for affordable housing for low and moderate income persons. Reported by Committee on Local Government

MAJORITY recommendation: Do pass with the following amendment:

On page 6, beginning on line 2 strike all of subsection (18) and insert:

"(18) To contract with a public authority or corporation, created by a county, city, or town under RCW 35.21.730 through 35.21.755, to act as the developer for new housing projects or improvement of existing housing projects."

Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Allen, Bristow, Brough, Doty, Ebersole, Hine, Isaacson, May, Patrick, Rayburn, Winsley and Zellinsky.

Absent: Representative Smitherman.

Passed to Committee on Rules for second reading.

April 4, 1985

SSB 3951 Prime Sponsor, Committee on Human Services & Corrections: Providing for a feasibility study of reuse of facilities at Northern State Hospital. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

\*NEW SECTION. Sec. 1. A feasibility study shall be conducted under the direction of the Skagit county council of governments of the reuse of the facilities at Northern State Hospital. The study shall be completed by June 30, 1986, and shall include but not be limited to:

(1) The establishment of a service center for the neurologically impaired; and

(2) The utilization of eight hundred acres for a fairground and location of an agricultural technical center in northwestern Washington.

NEW SECTION. Sec. 2. There is appropriated from the general fund to the department of community development to be allocated to the Skagit county council of governments for the biennium ending June 30, 1985, the sum of ten thousand dollars, or so much thereof as may be necessary, to carry out the purposes of this act: PROVIDED, That the appropriation shall not be spent unless the Skagit county council of governments provides at least ten thousand dollars in matching funds.

NEW SECTION. Sec. 3. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.\*

Signed by Representatives Brekke, Chair; Day, Vice Chair; Armstrong, Ballard, Braddock, Brooks, Dellwo, Dobbs, Leonard, Lewis, Scott, Tanner, West and Winsley.

Absent: Representatives Armstrong, Lux, Padden, Tanner, West and S. Wilson.

Passed to Committee on Rules for second reading.

April 5, 1985

SSB 3981 Prime Sponsor, Committee on Commerce & Labor: Exempting independent taxicab operators from industrial insurance coverage. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Cole, Vice Chair; Betzoff, Chandler, Ebersole, Fisch, Fisher, R. King, O'Brien, Patrick, Sayan, C. Smith, Walker and J. Williams.

Absent: Representative Wang, Chair.

Passed to Committee on Rules for second reading.

April 4, 1985

SSB 4041 Prime Sponsor, Committee on Natural Resources: Revising management of state oyster reserves. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 4 strike all material through "propagation," on line 11.

On page 1, line 27 after "shall" insert "periodically"

On page 2, line 10 after "plan," insert "to include recommendations for leasing reserve lands."

On page 1, line 2 of the title strike "75.24.030," and after "75.24.060" strike ", 79.96.100, and 79.96.110"

Signed by Representatives Sutherland, Chair; K. Wilson, Vice Chair; Basich, Belcher, Cole, Dobbs, Fuhrman, Hargrove, Haugen, Leonard, McMullen, D. Nelson, Sanders and Sayan.

MINORITY recommendation: Do not pass. Signed by Representatives van Dyke and J. Williams.

Voting nay: Representatives Hankins, Lundquist, Thomas, van Dyke, J. Williams and S. Wilson.

Passed to Committee on Rules for second reading.

April 5, 1985

ESSB 4059 Prime Sponsor, Committee on Judiciary: Revising provisions relating to juveniles. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, P. King, Lewis, Locke, G. Nelson, Niemi, Padden, Schmidt, Schoon, Tilly, Van Luven and West.

Absent: Representatives Appelwick, P. King, Niemi, Schoon and Wang.

Passed to Committee on Rules for second reading.

April 4, 1985

ESSB 4105 Prime Sponsor, Committee on Judiciary: Relating to mental health commitment. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass. Signed by Representatives Brekke, Chair; Day, Vice Chair; Ballard, Brooks, Dellwo, Dobbs, Leonard, Lewis, Lux, Padden, Scott, Tanner, West and Winsley.

Absent: Representatives Armstrong, Braddock and S. Wilson.

Passed to Committee on Rules for second reading.

April 4, 1985

SB 4110 Prime Sponsor, Senator Talmadge: Authorizing the superintendent of public instruction to contract with the office of administrative hearings. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Ebersole, Chair; Valle, Vice Chair; Appelwick, Betrozoff, Cole, Fuhrman, Holland, Long, Peery, Rayburn, Rust, Schoon, L. Smith, Taylor, Walker and Wang.

Absent: Representatives Chandler, Fuhrman, P. King, Schoon, L. Smith, Taylor and Todd.

Passed to Committee on Rules for second reading.

April 5, 1985

SSB 4114 Prime Sponsor, Committee on Judiciary: Modifying certain civil liability provisions for the sale of securities. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

\*Sec. 1. Section 43, chapter 282, Laws of 1959 as last amended by section 9, chapter 272, Laws of 1981 and RCW 21.20.430 are each amended to read as follows:

(1) Any person, who offers or sells a security in violation of any provisions of RCW 21.20.010 or 21.20.140 through 21.20.230, is liable to the person buying the security from him or her, who may sue either at law or in equity to recover the consideration paid for the security, together with interest at eight percent per annum from the date of payment, costs, and reasonable attorneys' fees, less the amount of any income received on the security, upon the tender of the security, or for damages if he or she no longer owns the security. Damages are the amount that would be recoverable upon a tender less (a) the value of the security when the buyer disposed of it and (b) interest at eight percent per annum from the date of disposition.

(2) Any person who buys a security in violation of the provisions of RCW 21.20.010 is liable to the person selling the security to him or her, who may sue either at law or in equity to recover the security, together with any income received on the security, upon tender of the consideration received, costs, and reasonable attorneys' fees, or if the security cannot be recovered, for damages. Damages are the value of the security when the buyer disposed of it, and any income received on the security, less the consideration received for the security, plus interest at eight percent per annum from the date of disposition, costs, and reasonable attorneys' fees.

(3) Every person who directly or indirectly controls a seller or buyer liable under subsection (1) or (2) above, every partner, officer, director or person who occupies a similar status or performs a similar function of such seller or buyer, every employee of such a seller or buyer who materially aids in the transaction, and every broker-dealer, salesperson, or person

exempt under the provisions of RCW 21.20.040 who materially aids in the transaction is also liable jointly and severally with and to the same extent as the seller or buyer, unless such person sustains the burden of proof that he or she did not know, and in the exercise of reasonable care could not have known, of the existence of the facts by reason of which the liability is alleged to exist. There is contribution as in cases of contract among the several persons so liable.

(4) (a) Every cause of action under this statute survives the death of any person who might have been a plaintiff or defendant.

(b) No person may sue under this section more than three years after the contract of sale for any violation of the provisions of RCW 21.20.140 through 21.20.230, or more than three years after a violation of the provisions of RCW 21.20.010, either was discovered by such person or would have been discovered by him or her in the exercise of reasonable care. No person may sue under this section if the buyer or seller receives a written rescission offer, which has been passed upon by the director before suit and at a time when he or she owned the security, to refund the consideration paid together with interest at eight percent per annum from the date of payment, less the amount of any income received on the security in the case of a buyer, or plus the amount of income received on the security in the case of a seller.

(5) No person who has made or engaged in the performance of any contract in violation of any provision of this chapter or any rule or order hereunder, or who has acquired any purported right under any such contract with knowledge of the facts by reason of which its making or performance was in violation, may base any suit on the contract. Any condition, stipulation, or provision binding any person acquiring any security to waive compliance with any provision of this chapter or any rule or order hereunder is void.

(6) Any tender specified in this section may be made at any time before entry of judgment.

(7) Notwithstanding subsections (1) through (6) of this section, if an initial offer or sale of securities that are exempt from registration under RCW 21.20.310 is made by ~~((the))~~ this state or its agencies, political subdivisions, municipal or quasi-municipal corporations, or other instrumentality of one or more of the foregoing and is in violation of RCW 21.20.010(2), ~~((each))~~ and any such issuer, member of the governing body, committee member, public officer, director, employee, or agent of such issuer acting on its behalf, or person in control of ((the state or agency, each)) such issuer, member of the governing body, committee member, public officer, ((or)) director, employee, or agent of such person acting on its behalf, ((and each employee thereof who)) materially aids in the offer or sale, ((are)) such person is liable to the purchaser of the security only if the purchaser establishes scienter on the part of the defendant. The word 'employee' or the word 'agent,' as such words are used in this subsection, do not include a bond counsel or an underwriter. Under no circumstances whatsoever shall this subsection be applied to require purchasers to establish scienter on the part of bond counsels or underwriters.

Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, P. King, Lewis, Locke, G. Nelson, Padden, Schmidt, Schoon, Tilly, Van Luven and West.

Absent: Representatives Appelwick, Niemi and Wang.

Passed to Committee on Rules for second reading.

April 4, 1985

SB 4142 Prime Sponsor, Senator Gaspard: Revising laws regulating the organization of school districts. Reported by Committee on Education

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

\*Sec. 1. Section 28A.57.020, chapter 223, Laws of 1969 ex. sess. as last amended by section 33, chapter 3, Laws of 1983 and RCW 28A.57.020 are each amended to read as follows:

As used in this chapter:

(1) 'Change in the organization and extent of school districts' means the formation and establishment of new school districts, the dissolution of existing school districts, the alteration of the boundaries of existing school districts, or all of them.

(2) ~~((County))~~ Regional committee' means the ~~((county))~~ regional committee on school district organization created by this chapter.

(3) 'State board' means the state board of education.

(4) 'School district' means the territory under the jurisdiction of a single governing board designated and referred to as the board of directors.

(5) 'Educational service district superintendent' means the educational service district superintendent as provided for in RCW 28A.21.071 ~~((--When a county has property both within and without an educational service district or districts, the state board of education shall determine which educational service district superintendent shall carry out the functions assigned to the educational service district superintendent under this chapter and be secretary~~

to the county committee as provided for in RCW 28A.57.040, said appointee to serve at the pleasure of the state board) or his or her designee.

Sec. 2. Section 28A.57.030, chapter 223, Laws of 1969 ex. sess. and RCW 28A.57.030 are each amended to read as follows:

There is hereby created in each ((county)) educational service district a committee which shall be known as the ((county)) regional committee on school district organization, which committee shall be composed of not less than ((five)) seven nor more than nine registered voters of the ((county)) educational service district, the number ((in each county to be determined by the persons in RCW 28A.57.032 charged with the duty of electing the members of the committee)) to correspond with the number of board member districts established for the governance of the educational service district in which the regional committee is located. One member of the regional committee shall be elected from the registered voters of each such educational service district board member district.

Sec. 3. Section 28A.57.031, chapter 223, Laws of 1969 ex. sess. as last amended by section 79, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.57.031 are each amended to read as follows:

((Neither the educational service district superintendent nor an employee of a school district shall be a member of the county committee.)) Persons possessing the status of any of the following positions shall not be eligible to be a member of a regional committee: The superintendent of public instruction, a member of the state board of education, an educational service district superintendent, a member of a board of directors of a school district, a member of an educational service district board, a member of a governing board of either a private school or a private school district which conducts any grades kindergarten through twelve, officers appointed by any such governing board, and employees of a school district, an educational service district, the office of the superintendent of public instruction, a private school, or a private school district.

Sec. 4. Section 1, chapter 15, Laws of 1975-'76 2nd ex. sess. and RCW 28A.57.032 are each amended to read as follows:

The members of ((the county)) each regional committee shall be elected ((by the educational service district superintendent and the members of the board of directors of the school districts of the county at a meeting which the educational service district superintendent shall call for that and any additional purpose. At least one member of the county committee shall be elected from among the registered voters of each county commissioner's district in the county; and, as nearly as possible, an equal number of members shall be elected from among the registered voters of each class of school district (first or second class) in the county.)) in the following manner:

(1) On or before the 25th day of September, 1986, and not later than the 25th day of September of every subsequent year, each superintendent of an educational service district shall call an election to be held in each educational service district within which resides a member of a regional committee whose term of office expires on the second Monday of January next following, and shall give written notice thereof to each member of the board of directors of each school district in the educational service district. Such notice shall include instructions, and the rules and regulations established by the state board of education for the conduct of the election. The state board of education is hereby empowered to adopt rules pursuant to chapter 34.04 RCW which establish standards and procedures which the state board deems necessary to conduct elections pursuant to this section; to conduct run-off elections in the event an election for a position is indecisive; and to decide run-off elections which result in tie votes, in a fair and orderly manner.

(2) Candidates for membership on a regional committee shall file a declaration of candidacy with the superintendent of the educational service district wherein they reside. Declarations of candidacy may be filed by person or by mail not earlier than the 1st day of October, and not later than the 15th day of October. The superintendent may not accept any declaration of candidacy that is not on file in his or her office or not postmarked before the 16th day of October, or if not postmarked or the postmark is not legible, if received by mail after the 20th day of October.

(3) Each member of the regional committee shall be elected by a majority of the votes cast for all candidates for the position by the members of the boards of directors of school districts in the educational service district. All votes shall be cast by mail ballot addressed to the superintendent of the educational service district wherein the school director resides. No votes shall be accepted for counting if postmarked after the 16th day of November or if not postmarked or the postmark is not legible, if received by mail after the 21st day of November. An election board comprised of three persons appointed by the board of the educational service district shall count and tally the votes not later than the 25th day of November or the next business day if the 25th falls on a Saturday, Sunday, or legal holiday. Each vote cast by a school director shall be recorded as one vote. Within ten days following the count of votes, the educational service district superintendent shall certify to the superintendent of public instruction the name or names of the person(s) elected to be members of the regional committee.



(4) In the event of a change in the number of educational service districts or in the number of educational service district board members pursuant to chapter 28A.21 RCW a new regional committee shall be elected for each affected educational service district at the next annual election conducted pursuant to this section. Those persons who were serving on a regional committee within an educational service district affected by a change in the number of districts or board members shall continue to constitute the regional committee for the educational service district within which they are registered to vote until the majority of a new board has been elected and certified.

(5) No member of a ((county)) regional committee shall continue to serve thereon if he or she ceases to be a registered voter of the ((county)) educational service district board member district or if he or she is absent from three consecutive meetings of the committee without an excuse acceptable to the committee.

((If more than one educational service district superintendent has jurisdiction within a county all such superintendents shall participate in electing the committee, and the educational service district superintendent having jurisdiction over the most populous part of the county shall serve as secretary of the committee and call meetings where so provided.))

Sec. 5. Section 28A.57.033, chapter 223, Laws of 1969 ex. sess. as last amended by section 81, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.57.033 are each amended to read as follows:

((Vacancies in the membership of the county committee shall be filled by the persons charged with the duty of electing the members of the committee under RCW 28A.57.032-PROVIDED: That the committee may fill vacancies in its membership pending the calling of a meeting of said persons for this purpose by the educational service district superintendent.)) In case of a vacancy from any cause on a regional committee, the remaining members of the committee shall fill such vacancy by appointment pursuant to a majority vote of the remaining members: PROVIDED, That should there exist fewer members on a regional committee than constitutes a majority of the legally established committee member positions, the educational service district board members of the district in which the committee is located, by the vote of a majority of the members in its legally established number of board member positions, shall appoint a sufficient number of committee members to constitute a legal majority on the committee. Appointees to fill vacancies shall meet the requirements provided by law for committee members and shall serve until the next regular election for members of regional committees at which time a successor shall be elected for the balance of the unexpired term.

Sec. 6. Section 28A.57.034, chapter 223, Laws of 1969 ex. sess. and RCW 28A.57.034 are each amended to read as follows:

The terms of members of the ((county)) regional committees shall be for five years and until their successors are elected. As nearly as possible one-fifth of the members shall be elected annually. For the initial election conducted pursuant to section 30 of this 1985 act and the election of a new regional committee following a change in the number of educational service districts or board members, regional committee member positions one and six shall be for a term of five years, positions two and seven shall be for a term of four years, positions three and eight shall be for a term of three years, positions four and nine shall be for a term of two years, and position five shall be for a term of one year.

Sec. 7. Section 28A.57.035, chapter 223, Laws of 1969 ex. sess. as amended by section 118, chapter 176, Laws of 1969 ex. sess. and RCW 28A.57.035 are each amended to read as follows:

Members of ((the county)) each regional committee shall serve without compensation but shall be reimbursed for expenses necessarily incurred in the performance of their duties.

Sec. 8. Section 28A.57.040, chapter 223, Laws of 1969 ex. sess. as last amended by section 82, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.57.040 are each amended to read as follows:

((The county)) Each regional committee shall organize by electing from its membership a chairman and a vice chairman. The educational service district superintendent shall be the secretary of the committee. Meetings of the committee shall be held upon call of the chairman or of a majority of the members thereof. A majority of the committee shall constitute a quorum.

Sec. 9. Section 2, chapter 15, Laws of 1975-76 2nd ex. sess. as amended by section 1, chapter 6, Laws of 1985 and RCW 28A.57.050 are each amended to read as follows:

The powers and duties of ((the county)) each regional committee shall be:

(1) To initiate, on its own motion and whenever it deems such action advisable, proposals or alternate proposals for changes in the organization and extent of school districts in the ((county)) educational service district; to receive, consider, and revise, whenever in its judgment revision is advisable, proposals initiated by petition or presented to the committee by the educational service district superintendent as provided for in this chapter; to prepare and submit to the state board any of the aforesaid proposals that are found by the ((county)) regional committee to provide for satisfactory improvement in the school district system of the ((county)) educational service district and state; to prepare and submit with the aforesaid proposals, a map showing the boundaries of existing school districts affected by any proposed change and the boundaries, including a description thereof, of each proposed new school district or of each existing school district as enlarged or diminished by any proposed change, or both, and

a summary of the reasons for the proposed change; and such other reports, records, and materials as the state board may request. The committee may utilize as a basis of its proposals and changes that comprehensive plan for changes in the organization and extent of the school districts of the county prepared and submitted to the state board prior to September 1, 1956, or, if the then county committee found, after considering the factors listed in RCW 28A.57.055, that no changes in the school district organization of the county were needed, the report to this effect submitted to the state board.

(2) (a) To make an equitable adjustment of the property and other assets and of the liabilities, including bonded indebtedness, as to the old school districts and the new district or districts, if any, involved in or affected by a proposed change in the organization and extent of the school districts; and (b) to make an equitable adjustment of the bonded indebtedness outstanding against any of the aforesaid districts whenever in its judgment such adjustment is advisable, as to all of the school districts involved in or affected by any change heretofore or hereafter effected; and (c) to submit to the state board the proposed terms of adjustment and a statement of the reasons therefor in each case. In making the adjustments herein provided for, the ~~((county)) regional~~ committee shall consider the number of children of school age resident in and the assessed valuation of the property located in each school district and in each part of a district involved or affected; the purpose for which the bonded indebtedness of any school district was incurred; the value, location, and disposition of all improvements located in the school districts involved or affected; and any other matters which in the judgment of the committee are of importance or essential to the making of an equitable adjustment.

(3) To hold and keep a record of a public hearing or public hearings (a) on every proposal for the formation of a new school district or for the transfer from one existing district to another of any territory in which children of school age reside or for annexation of territory when the conditions set forth in RCW 28A.57.190 or 28A.57.200 prevail; and (b) on every proposal for adjustment of the assets and of the liabilities of school districts provided for in this chapter. Three members of the ~~((county)) regional~~ committee or two members of the committee and the educational service district superintendent may be designated by the committee to hold any public hearing that the committee is required to hold. The ~~((county)) regional~~ committee shall cause notice to be ((posted)) given, at least ten days prior to the date appointed for any such hearing, ~~((a written or printed notice thereof (a) in at least three public places in the territory of each proposed new district or of each established district when such district is involved in a question of adjustment of bonded indebtedness, (b) in at least one public place in territory proposed to be transferred or annexed to an existing school district, (c) on a commonly-used schoolhouse door of each district involved in or affected by any proposed change or adjustment upon which a public hearing is required; and (d) at the place or places of holding the hearing)) in one or more newspapers of general circulation within the geographical boundaries of the school districts affected by the proposed change or adjustment. In addition notice may be given by ((newspaper;)) radio(;) and television, or either thereof, when in the committee's judgment the public interest will be served thereby.~~

(4) To divide into five school directors' districts all first and second class school districts now in existence and not heretofore so divided and all first and second class school districts hereafter established: PROVIDED, That no first or second class school district not heretofore so divided and no first or second class school district hereafter created containing a city with a population in excess of seven thousand according to the latest population certificate filed with the secretary of state by the office of financial management shall be divided into directors' districts unless a majority of the registered voters voting thereon at an election shall approve a proposition authorizing the division of the district into directors' districts. The boundaries of each directors' district shall be so established that each such district shall comprise as nearly as practicable an equal portion of the population of the school district.

(5) To rearrange at any time the committee deems such action advisable in order to correct inequalities caused by changes in population and changes in school district boundaries, the boundaries of any of the directors' districts of any school district heretofore or hereafter so divided: PROVIDED, That a petition therefor, shall be required for rearrangement in order to correct inequalities caused by changes in population. Said petition shall be signed by at least ten registered voters residing in the aforesaid school district, and shall be presented to the educational service district superintendent. A public hearing thereon shall be held by the ~~((county)) regional~~ committee, which hearing shall be called and conducted in the manner prescribed in subsection (3) of this section ~~((except that notice thereof shall be posted in some public place in each directors' district of the school district and on a commonly-used schoolhouse door of the district and at the place of holding the hearing. In addition notice may be given by newspaper, radio, and television, or either thereof, when in the committee's judgment the public interest will be served thereby)).~~

(6) To prepare and submit to the superintendent of public instruction from time to time or, upon his or her request, reports and recommendations respecting the urgency of need for school plant facilities, the kind and extent of the facilities required, and the development of improved local school administrative units and attendance areas in the case of school districts that seek state assistance in providing school plant facilities.

Sec. 10. Section 28A.57.055, chapter 223, Laws of 1969 ex. sess. and RCW 28A.57.055 are each amended to read as follows:

~~((The county))~~ Each regional committee, in carrying out the purposes of RCW 28A.57.050, shall ~~((give due consideration in))~~ base its judgment and recommendations, if any, to the state board of education, upon such standards and considerations as are established by the state board of education pursuant to chapter 34.04 RCW for the preparation of ((plans)) recommended changes in the organization and extent of school districts and terms of adjustment as provided for ((therein ((a))) in RCW 28A.57.050. Such rules and regulations shall provide for giving consideration: (1) To equalization of the educational opportunities of pupils and to economies in the administration and operation of schools through the formation of larger units of administration and areas of attendance; ~~((b))~~ (2) to equalization among school districts of the tax burden for general fund and capital purposes through a reduction in disparities in per-pupil valuation; ~~((c))~~ (3) to geographical and other features, including, but not limited to such physical characteristics as mountains, lakes and rivers, waste land, climatic conditions, highways, and means of transportation; ~~((d))~~ (4) to the convenience and welfare of pupils, including but not limited to remoteness or isolation of their places of residence and time required to travel to and from school; ~~((e))~~ (5) to improvement of the educational opportunities of pupils through improvement and extension of school programs and through better instruction facilities, equipment, materials, libraries, and health and other services; ~~((f))~~ (6) to equalization of the burden of financing the cost of high school facilities through extension of the boundaries of high school districts to include within each such district all of the territory served by the high school located therein: PROVIDED, That a nonhigh school district may be excluded from a plan if such district is found by the ((county)) regional committee and the state board to be so situated with respect to location, present and clearly foreseeable future population, and other pertinent factors as to warrant the establishment and operation of a high school therein or the inclusion of its territory in a new district formed for the purpose of establishing and operating a high school; ~~((g))~~ (7) to the future effective utilization of existing satisfactory school buildings, sites, and playfields; the adequacy of such facilities located in the proposed new district; and additional facilities required if such proposed district is formed; and ((h)) (8) to any other matters which in the judgment of the ((committee)) state board of education are related to or may operate to further equalization and improvement of school facilities and services, economies in operating and capital fund expenditures, and equalization among school districts of tax rates for school purposes.

Sec. 11. Section 26, chapter 282, Laws of 1971 ex. sess. and RCW 28A.57.057 are each amended to read as follows:

In case the boundaries of any of the school districts are conflicting or incorrectly described, the ~~((county))~~ regional committee on school organization after due notice and a public hearing, shall change, harmonize, and describe them and shall so certify, with a complete transcript of boundaries of all districts affected, such action to the state board of education for its approval or revision. Upon receipt of notification of state board of education action, the ~~((county))~~ regional committee on school organization shall transmit to the county commissioners of the county or counties in which the affected districts are located a complete transcript of the boundaries of all districts affected.

Sec. 12. Section 28A.57.060, chapter 223, Laws of 1969 ex. sess. and RCW 28A.57.060 are each amended to read as follows:

The powers and duties of the state board with respect to this chapter shall be:

(1) To aid ((county)) regional committees in the performance of their duties by furnishing them with plans of procedure, standards, data, maps, forms, and other necessary materials and services essential to a study and understanding of the problems of school district organization in ((the county)) their respective educational service districts.

(2) To receive, file, and examine the proposals and the maps, reports, records, and other materials relating thereto submitted by ((county)) regional committees and to approve such proposals and so notify the ((county)) regional committees when said proposals are found to provide for satisfactory improvement in the school district system of the counties and the state and for an equitable adjustment of the assets and liabilities of the school districts involved or affected: PROVIDED, That whenever such proposals are found by the state board to be unsatisfactory or inequitable, the board shall so notify the ((county)) regional committee and, upon request, assist the committee in making revisions which revisions shall be resubmitted within sixty days after such notification for reconsideration and approval or disapproval.

Sec. 13. Section 28A.57.070, chapter 223, Laws of 1969 ex. sess. as last amended by section 84, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.57.070 are each amended to read as follows:

Upon receipt by ~~((the county))~~ a regional committee of such notice from the state board as is required in RCW 28A.57.060(2), the educational service district superintendent shall make an order establishing all approved changes involving the alteration of the boundaries of an established school district or districts and all approved terms of adjustment of assets and liabilities involving an established district or districts the boundaries of which have been or are hereafter altered in the manner provided by law, and shall certify his or her action to each

county auditor for the board of county commissioners, each county treasurer, each county assessor and the superintendents of all school districts affected by such action. Upon receipt of such certification the superintendent of each school district which is annexed to another district by the action shall deliver to the superintendent of the school district to which annexed all books, papers, documents, records, and other materials pertaining to his or her office.

Sec. 14. Section 28A.57.075, chapter 223, Laws of 1969 ex. sess. as last amended by section 85, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.57.075 are each amended to read as follows:

Whenever adjustments of bonded indebtedness are made between or among school districts in connection with the alteration of the boundaries thereof, pursuant to the provisions of this chapter, the order of the educational service district superintendent establishing the terms of adjustment of bonded indebtedness shall provide and specify:

(1) In every case where bonded indebtedness is transferred from one school district to another school district (a) that such bonded indebtedness is assumed by the school district to which it is transferred; (b) that thereafter such bonded indebtedness shall be the obligation of the school district to which it is transferred; (c) that, if the terms of adjustment so provide, any bonded indebtedness thereafter incurred by such transferee school district through the sale of bonds authorized prior to the date its boundaries were altered shall be the obligation of such school district including the territory added thereto; and (d) that taxes shall be levied thereafter against the taxable property located within such school district as it is constituted after its boundaries were altered, said taxes to be levied at the times and in the amounts required to pay the principal of and the interest on the bonded indebtedness assumed or incurred as aforesaid, as the same become due and payable.

In computing the debt limitation of any school district from which or to which bonded indebtedness has been transferred, the amount of such transferred bonded indebtedness at any time outstanding (a) shall be an offset against and deducted from the total bonded indebtedness, if any, of the school district from which such bonded indebtedness was transferred and (b) shall be deemed to be bonded indebtedness solely of the transferee school district that assumed such indebtedness.

(2) In every case where adjustments of bonded indebtedness do not provide for transfer of bonded indebtedness from one school district to another school district (a) that the existing bonded indebtedness of each school district the boundaries of which are altered and any bonded indebtedness incurred by each such school district through the sale of bonds authorized prior to the date its boundaries were altered shall be the obligation of the school district in its reduced or enlarged form, as the case may be; and (b) that taxes shall be levied thereafter against the taxable property located within each such school district in its reduced or enlarged form, as the case may be, at the times and in the amounts required to pay the principal of and interest on such bonded indebtedness as the same become due and payable.

~~(In case the aforesaid approval)~~ If a change in school district organization approved by the state board concerns a proposal to form a new school district or a proposal for adjustment of bonded indebtedness involving an established school district and one or more former school districts now included therein pursuant to a vote of the people concerned, a special election of the voters residing within the territory of the proposed new district or of the established district involved in a proposal for adjustment of bonded indebtedness as the case may be shall be held for the purpose of affording said voters an opportunity to approve or reject such proposals as concern or affect them.

In a case involving both the question of the formation of a new school district and the question of adjustment of bonded indebtedness, the questions may be submitted to the voters either in the form of a single proposition or as separate propositions, whichever to the educational service district superintendent seems expedient. When the ((county)) regional committee has passed appropriate resolutions for the questions to be submitted and the educational service district superintendent has given notice thereof to the county auditor such special election shall be called, conducted, and the returns canvassed as in regular school district elections.

Sec. 15. Section 28A.57.080, chapter 223, Laws of 1969 ex. sess. as last amended by section 86, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.57.080 are each amended to read as follows:

Notice of such special elections as provided for in RCW 28A.57.075 shall be given by the county auditor as in RCW 29.27.080 provided ~~(- and in addition thereto the educational service district superintendent shall cause to be posted (1) in at least three public places in the territory of a proposed new district or of an established district involved in a proposal for adjustment of bonded indebtedness, and (2) on a commonly used schoolhouse door of each district included in the proposed new district, and (3) in some public place in the territory of each part of a district included in the proposed new district, and (4) at the place or places of holding the election, a statement encompassing the contents of the notice)).~~ The notice of election shall state the purpose for which the election has been called and shall contain a description of the boundaries of the proposed new district and a statement of any terms of adjustment of bonded indebtedness to be voted on.

Sec. 16. Section 28A.57.090, chapter 223, Laws of 1969 ex. sess. as last amended by section 87, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.57.090 are each amended to read as follows:

Whenever a special election is held to vote on a proposal or alternate proposals to form a new school district, the votes cast by the registered voters in each component district shall be tabulated separately and any such proposition shall be considered approved only if it receives a majority of the votes cast in each separate district voting thereon. Whenever a special election is held to vote on a proposal for adjustment of bonded indebtedness the entire vote cast by the registered voters of the proposed new district or of the established district as the case may be shall be tabulated and any such proposition shall be considered approved if ~~((a majority of))~~ sixty percent or more of all votes cast thereon ~~((is))~~ are in the affirmative.

In the event of approval of a proposition or propositions voted on at a special election, the educational service district superintendent shall: (1) Make an order establishing such new school district or such terms of adjustment of bonded indebtedness or both, as were approved by the registered voters and shall also order effected such other terms of adjustment, if there be any, of property and other assets and of liabilities other than bonded indebtedness as have been approved by the state board; and (2) certify his or her action to the county and school district officials specified in RCW 28A.57.070. He or she may designate, with the approval of the ~~((new district))~~ superintendent of public instruction, a name and number different from that of any component thereof but must designate the new district by name and number different from any other district in existence in the county.

The educational service district superintendent ~~((if he deems such action advisable, may))~~ shall fix, as the effective date of any order or orders he or she is required by this chapter to make, a date no later than the first day of ~~((July))~~ September next succeeding the date of final approval of any change in the organization and extent of school districts or of any terms of adjustment of the assets and liabilities of school districts subject, for taxing purposes, to the redrawing of taxing district boundaries pursuant to RCW 84.09.030.

Upon receipt of the aforesaid certification, the superintendent of each school district which is included in the new district shall deliver to the superintendent of the new school district all books, papers, documents, records and other materials pertaining to his or her office.

Sec. 17. Section 28A.57.100, chapter 223, Laws of 1969 ex. sess. and RCW 28A.57.100 are each amended to read as follows:

If a proposal for the formation of a new school district and for adjustment of bonded indebtedness, or either, is rejected by the registered voters at a special election, the ~~((county))~~ regional committee may make such revisions therein as it deems advisable and submit the revised proposal or proposals to the state board. Thereafter such revised proposal or proposals shall be subject to the provisions and procedural requirements of this chapter applicable to original proposals submitted to said board.

Sec. 18. Section 28A.57.110, chapter 223, Laws of 1969 ex. sess. and RCW 28A.57.110 are each amended to read as follows:

The superintendent of public instruction shall furnish to the state board and to ~~((county))~~ regional committees the services of employed personnel and the materials and supplies necessary to enable them to perform the duties imposed upon them by this chapter and shall reimburse the members thereof for expenses necessarily incurred by them in the performance of their duties, such reimbursement for ~~((county))~~ regional committee members to be in accordance with RCW 28A.57.035, as now or hereafter amended, and such reimbursement for state board members to be in accordance with ~~((allowances for members of the legislature under RCW 44.04.120, as now or hereafter amended))~~ RCW 28A.04.110.

Sec. 19. Section 28A.57.150, chapter 223, Laws of 1969 ex. sess. as last amended by section 90, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.57.150 are each amended to read as follows:

Each incorporated city or town in the state shall be comprised in one school district: PROVIDED, That nothing in this section shall be construed: (1) To prevent the extension of the boundaries of a school district beyond the limits of the city or town contained therein, or (2) to prevent the inclusion of two or more incorporated cities or towns in a single school district, or (3) to change or disturb the boundaries of any school district organized prior to the incorporation of any city or town, except as hereafter in this section provided.

In case all or any part of a school district that operates a school or schools on one site only or operates elementary schools only on two or more sites is included in an incorporated city or town through the extension of the limits of such city or town in the manner provided by law, the educational service district superintendent shall: (1) Declare the territory so included to be a part of the school district containing the city or town and (2) whenever a part of a district so included contains a school building of the district, present to the ~~((county))~~ regional committee a proposal for the disposition of any part or all of the remaining territory of the district.

In case of the extension of the limits of a town to include territory lying in a school district that operates on more than one site one or more elementary schools and one or more junior high schools or high schools, the ~~((county))~~ regional committee shall, in its discretion, prepare a proposal or proposals for annexation to the school district in which the town is located any part

or all of the territory aforesaid which has been included in the town and for annexation to the school district in which the town is located or to some other school district or districts any part or all of the remaining territory of the school district affected by extension of the limits of the town: PROVIDED, That where no school or school site is located within the territory annexed to the town and not less than seventy-five percent of the registered voters residing within the annexed territory present a petition in writing for annexation and transfer of said territory to the school district in which the town is located, the educational service district superintendent shall declare the territory so included to be a part of the school district containing said town: PROVIDED FURTHER, That territory approved for annexation to a city or town by vote of the electors residing therein prior to January 12, 1953, shall not be subject to the provisions herein respecting annexation to a school district or school districts: AND PROVIDED FURTHER, That the provisions and procedural requirements of this chapter as now or hereafter amended not in conflict with or inconsistent with the provisions hereinabove in this section stated shall apply in the case of any proposal or proposals (1) for the alteration of the boundaries of school districts through and by means of annexation of territory as aforesaid, and (2) for the adjustment of the assets and liabilities of the school districts involved or affected thereby.

In case of the incorporation of a city or town containing territory lying in two or more school districts or of the uniting of two or more cities or towns not located in the same school district, the educational service district superintendent, except where the incorporation or consolidation would affect a district or districts of the first class, shall: (1) Order and declare to be established in each such case a single school district comprising all of the school districts involved, and (2) designate each such district by name and by a number different from that of any other district in existence in the county.

The educational service district superintendent(~~(if he deems such action advisable, may))~~ shall fix as the effective date of any declaration or order required under this section a date no later than the first day of (~~July~~) September next succeeding the date of the issuance of such declaration or order.

Sec. 20. Section 28A.57.170, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 191, Laws of 1982 and RCW 28A.57.170 are each amended to read as follows:

For the purpose of forming a new school district, a petition in writing may be presented to the educational service district superintendent, as secretary of the ((county)) regional committee, by registered voters residing (1) in each whole district and in each part of a district proposed to be included in any single new district, or (2) in the territory of a proposed new district which comprises a part only of one or more districts. A total of ten or more registered voters residing in such affected areas or area as the case may be may sign and present such petition with the approval of the boards of directors of the affected school districts. A total of ten percent or more of the registered voters residing in such affected areas or area as the case may be may sign and present such petition with or without the approval of the boards of directors of the affected school districts. The petition shall state the name and number of each district involved in or affected by the proposal to form the new district and shall describe the boundaries of the proposed new district. No more than one petition for consolidation of the same two school districts or parts thereof will be considered during a school fiscal year.

Sec. 21. Section 28A.57.180, chapter 223, Laws of 1969 ex. sess. as last amended by section 92, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.57.180 are each amended to read as follows:

For the purpose of transferring territory from one school district to another district, a petition in writing may be presented to the educational service district superintendent, as secretary of the ((county)) regional committee, signed by a majority of the registered voters residing in the territory proposed to be transferred, or by the board of directors of one of the districts affected by a proposed transfer of territory if there is no registered voter resident in the territory, which petition shall state the name and number of each district affected, describe the boundaries of the territory proposed to be transferred, and state the reasons for desiring the change and the number of children of school age, if any, residing in the territory: PROVIDED, That the educational service district superintendent, without being petitioned to do so, may present to the ((county)) regional committee a proposal for the transfer from one school district to another of any territory in which no children of school age reside: PROVIDED FURTHER, That the educational service district superintendent shall not complete any transfer of territory pursuant to the provisions of this section which involves ten percent or more of the common school student population of the entire district from which such transfer is proposed, unless he or she has first called and held a special election of the voters of the entire school district from which such transfer of territory is proposed for the purpose of affording said voters an opportunity to approve or reject such proposed transfer, and has obtained approval of the proposed transfer by a majority of those registered voters voting in said election; and if such proposed transfer is disapproved, the state board of education shall determine whether or not said district is meeting or capable of meeting minimum standards of education as set up by the state board. If the state board decides in the negative, the superintendent of public instruction may thereupon withhold from such district, in whole or in part, state contributed funds.

Sec. 22. Section 28A.57.190, chapter 223, Laws of 1969 ex. sess. as last amended by section 93, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.57.190 are each amended to read as follows:

Whenever all or any part of a school district in which no accredited high school is maintained is bounded on three or more sides by a school district in which an accredited high school is situated and maintained, or by a school district in which a high school with a program approved by the state board of education is situated and maintained, the educational service district superintendent shall report said fact to the ~~((county))~~ regional committee, which committee shall consider the question of the annexation to the aforesaid high school district of the territory or district so bounded.

Sec. 23. Section 2, chapter 63, Laws of 1972 ex. sess. and RCW 28A.57.196 are each amended to read as follows:

On or before June 1, 1972, or in any year in the future when there are more than two thousand five hundred common school age children on a military reservation as referred to in RCW 28A.57.195 resident therein, whichever is the case, and notwithstanding other provisions of this chapter or any other provision of law, the ~~((county))~~ regional committee ~~((on-school-district organization))~~ of each ~~((county))~~ educational service district in which such a United States military reservation is located, or in the case such military reservation is located in two or more ~~((counties))~~ educational service districts, the joint ~~((county))~~ regional committee established pursuant to RCW 28A.57.240, shall order effective ~~((July))~~ September 1 of the then calendar year the annexation of portions of reservation territory not currently within the single school district, as required by RCW 28A.57.195, to one of the school districts encompassing a portion of the military reservation: PROVIDED, That notwithstanding any other provision of RCW 28A.57.195 and 28A.57.196 the annexation order shall not include territory of school districts on such military reservations in which none or less than a majority of the pupils residing within that portion of the district within such military reservation have one or more parents serving in the military and under such military command. Notwithstanding any other provision of law, the decision as to which school district shall serve the pupils residing within such military reservation shall rest solely with the ~~((county))~~ regional committee ~~((on-school-district organization))~~ of the ~~((county))~~ educational service district in which the affected military reservation is located. The ~~((county))~~ regional committee ~~((on-school-district organization))~~ shall order such equitable transfer of assets and liabilities as is deemed necessary for the orderly transfer of the territory in accordance with transfers in other annexation proceedings authorized under this chapter.

Sec. 24. Section 4, chapter 15, Laws of 1975-'76 2nd ex. sess. and RCW 28A.57.200 are each amended to read as follows:

In case any school district shall have an average enrollment of fewer than ~~((two))~~ five pupils or shall not have made a reasonable effort to maintain, during the preceding school year at least the minimum term of school required by law, the educational service district superintendent shall report said fact to the ~~((county))~~ regional committee, which committee shall dissolve the school district and annex the territory thereof to some other district or districts: PROVIDED, That for the purposes of this section, in addition to any other finding, 'reasonable effort' shall be deemed to mean the attempt to make up whatever days are short of the legal requirement by the conducting of school classes on any days to include available holidays, though not to include Saturdays and Sundays, prior to June 15 of that year: PROVIDED FURTHER, That school districts operating an extended school year program, most commonly implemented as a 45-15 plan, shall be deemed to be making a reasonable effort: PROVIDED FURTHER, That in the event any school district has suffered any interruption in its normal school calendar due to a strike or other work stoppage or slowdown by any of its employees such district shall not be subject to the requirements of this section. In case any territory is not a part of any school district, the educational service district superintendent shall present to the ~~((county))~~ regional committee a proposal for the annexation of said territory to some contiguous district or districts.

Sec. 25. Section 28A.57.240, chapter 223, Laws of 1969 ex. sess. as last amended by section 95, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.57.240 are each amended to read as follows:

The duties in this chapter imposed upon and required to be performed by a ~~((county))~~ regional committee and by an educational service district superintendent in connection with a change in the organization and extent of school districts and/or with the adjustment of the assets and liabilities of school districts and with all matters related to such change or adjustment whenever territory lying in a single ~~((county))~~ educational service district is involved shall be performed jointly by the ~~((county))~~ regional committees and by the superintendents of the several educational service districts as required whenever territory lying in more than one ~~((county-or))~~ educational service district is involved in a proposed change in the organization and extent of school districts: PROVIDED, That a ~~((county))~~ regional committee may designate three of its members, or two of its members and the educational service district superintendent, as a subcommittee to serve in lieu of the whole committee, but action by a subcommittee shall not be binding unless approved by ~~((the whole))~~ a majority of the regional committee ~~((of the county))~~. Proposals for changes in the organization and extent of school districts and proposed

terms of adjustment of assets and liabilities thus prepared and approved shall be submitted to the state board by the ~~((county)) regional~~ committee of the ~~((county)) educational service district~~ in which is located the part of the proposed or enlarged district having the largest number of common school pupils residing therein.

Sec. 26. Section 28A.57.245, chapter 223, Laws of 1969 ex. sess. as last amended by section 96, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.57.245 are each amended to read as follows:

Whenever a proposed change in the organization and extent of school districts or an adjustment of the assets and liabilities of school districts, or both, or any other matters related to such change or adjustment involve ~~((a joint))~~ school districts in two or more educational service districts, and a majority of at least one of the ~~((county)) regional~~ committees ~~((or either county))~~ involved approve a proposal but the proposal is not approved by the other ~~((county)) regional~~ committee or committees or one or more of said committees fails or refuses to act upon the proposal within sixty days of its receipt, the ~~((county)) regional~~ committee or committees approving the proposal shall certify the proposal and its approval to the state superintendent of public instruction. Upon receipt of a properly certified proposal, the state superintendent of public instruction shall appoint a temporary committee ~~((on joint school district organization))~~ composed of five persons. The members of the temporary committee shall be selected from the membership of any ~~((county)) regional~~ committee in this state except that no member shall be appointed from any ~~((county)) educational service district~~ in which ~~((part of the joint district))~~ there is situated a school district that would be affected by the proposed change. Said committee shall meet at the call of the state superintendent of public instruction and organize by electing a chairman and secretary. Thereupon, this temporary committee ~~((on joint school district organization))~~ shall have jurisdiction of the proposal and shall treat the same as a proposal initiated on its own motion. Said committee shall have the powers and duties imposed upon and required to be performed by a ~~((county)) regional~~ committee under the provisions of this chapter and the secretary of the committee shall have the powers and duties imposed upon and required to be performed by the educational service district superintendents under the provisions of this chapter. It shall be the duty of the educational service district superintendents of the educational service districts in which the ~~((joint))~~ school districts ~~((is))~~ that would be affected by the proposed change are situated to assist the temporary committee ~~((on joint school district organization))~~ by supplying said committee with information from the records and files of their offices and with a proper and suitable place for holding meetings.

Sec. 27. Section 28A.57.342, chapter 223, Laws of 1969 ex. sess. as last amended by section 2, chapter 183, Laws of 1979 ex. sess. and RCW 28A.57.342 are each amended to read as follows:

Whenever an election shall be held for the purpose of securing the approval of the voters for the formation of a new school district other than a school district of the first class having within its boundaries a city with a population of four hundred thousand people or more in class AA counties, if requested by one of the boards of directors of the school districts affected, there shall also be submitted to the voters at the same election a proposition to authorize the ~~((county)) regional~~ committee to divide the school district, if formed, into directors' districts. Such director districts in second class districts, if approved, shall not become effective until the regular school election following the next regular school election at which time a new board of directors shall be elected as provided in RCW 28A.57.328~~((as now or hereafter amended))~~. Such director districts in first class districts, if approved, shall not become effective until the next regular school election at which time a new board of directors shall be elected as provided in RCW 28A.57.355, 28A.57.356, and 28A.57.357~~((as now or hereafter amended))~~. Each of the five directors shall be elected from among the residents of the respective director district by the electors of the entire school district.

Sec. 28. Section 28A.57.344, chapter 223, Laws of 1969 ex. sess. as last amended by section 3, chapter 183, Laws of 1979 ex. sess. and RCW 28A.57.344 are each amended to read as follows:

The board of directors of every school district other than a school district of the first class having within its boundaries a city with a population of four hundred thousand people or more in class AA counties which is not divided into directors' districts may submit to the voters at any regular school district election a proposition to authorize the ~~((county)) regional~~ committee to divide the district into directors' districts. If a majority of the votes cast on the proposition shall be affirmative, the ~~((county)) regional~~ committee shall proceed to divide the district into directors' districts. Such director districts, if approved, shall not become effective until the next regular school election when a new five member board of directors shall be elected, one from each of five director districts from among the residents of the respective director district by the electors of the entire district, two for a term of two years and three for a term of four years, unless such district elects its directors for six years, in which case, one for a term of two years, two for a term of four years, and two for a term of six years.

Sec. 29. Section 28A.57.390, chapter 223, Laws of 1969 ex. sess. as last amended by section 106, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.57.390 are each amended to read as follows:



~~(The)~~ Each educational service district superintendent shall prepare and keep in his office (1) a map showing the boundaries of the directors' districts of all school districts in or belonging to his or her educational service district that are so divided, and (2) a record of the action taken by the ~~((county))~~ regional committee in establishing such boundaries.

NEW SECTION. Sec. 30. A new section is added to chapter 28A.57 RCW to read as follows:

Notwithstanding any other provision of this chapter to the contrary, those persons who were county committee members and registered to vote as of the effective date of this act shall constitute the regional committee of the educational service district within which they are registered to vote until the election of the initial regional committee pursuant to this section. The initial election of members of each regional committee shall be by those persons who were county committee members registered to vote within the educational service district as of the effective date of this act. Only persons who were county committee members and so registered to vote as of the effective date of this act shall be eligible for membership on an initial regional committee, and only those persons who are eligible for such membership and are in attendance at a meeting held for the purpose of the election shall be entitled to cast a vote. The meeting shall be held at a time and place designated and announced by the educational service district superintendent, but no later than the thirtieth day after the effective date of this act. The educational service district superintendent shall preside over the meeting. Nominations shall be from the floor and shall be for position numbers assigned by the educational service district superintendent for the purpose of the initial election and all subsequent elections held pursuant to RCW 28A.57.032. Members of each initial regional committee shall be elected by majority vote and shall serve for the staggered terms of office set forth in RCW 28A.57.032 and until their successors are certified as elected pursuant to RCW 28A.57.032.

Sec. 31. Section 28A.56.005, chapter 223, Laws of 1969 ex. sess. and RCW 28A.56.005 are each amended to read as follows:

High school facilities shall mean buildings for occupancy by grades nine through twelve and equipment and furniture for such buildings and shall include major alteration or major remodeling of buildings and the acquisition of new sites and of additions to existing sites, and improvement of sites but only when included as a part of a general plan for the construction, equipping and furnishing of a building or of an alteration or addition to a building. The term shall also (1) include that portion of any building, alteration, equipment, furniture, site and improvement of site allocated to grade nine when included in a plan for facilities to be occupied by grades seven through nine and (2) includes such facilities for grades seven and eight when included in a plan as aforesaid, if the ~~((county))~~ regional committee on school district organization finds that students of these grades who reside in any nonhigh school districts involved are now attending school in the high school district involved under an arrangement which likely will be continued.

Sec. 32. Section 28A.56.010, chapter 223, Laws of 1969 ex. sess. and RCW 28A.56.010 are each amended to read as follows:

Upon receipt of a written request from the board of directors of a high school district or a nonhigh school district that presents to the ~~((county))~~ regional committee on school district organization satisfactory evidence of a need for high school facilities to be located therein and of ability to provide such facilities, the ~~((county))~~ regional committee shall prepare a plan for participation by any nonhigh school district or districts in providing capital funds to pay the costs of such school facilities and equipment to be provided for the education of students residing in the school districts. Prior to submission of the aforesaid request the board of directors of the school district concerned therewith shall determine the nature and extent of the high school facilities proposed to be provided, the approximate amount of local capital funds required to pay the cost thereof, and the site or sites upon which the proposed facilities are to be located, and shall submit a report thereon to the ~~((county))~~ regional committee along with the aforesaid request.

Sec. 33. Section 28A.56.020, chapter 223, Laws of 1969 ex. sess. as amended by section 91, chapter 7, Laws of 1985 and RCW 28A.56.020 are each amended to read as follows:

The ~~((said county))~~ regional committee on school district organization shall give consideration:

- (1) The report submitted by the board of directors as stated above;
- (2) The exclusion from the plan of nonhigh school districts because of remoteness or isolation or because they are so situated with respect to location, present and/or clearly foreseeable future population, and other pertinent factors as to warrant the establishment of a high school therein within a period of two years or the inclusion of their territory in some other nonhigh school district within which the establishment of a high school within a period of two years is warranted;
- (3) The assessed valuation of the school districts involved;
- (4) The cash balance, if any, in the capital projects fund of the district submitting the request which is designated for high school building construction purposes, together with the sources of such balance; and
- (5) Any other factors found by the committee to have a bearing on the preparation of an equitable plan.

Sec. 34. Section 28A.56.030, chapter 223, Laws of 1969 ex. sess. as last amended by section 74, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.56.030 are each amended to read as follows:

The (~~said county~~) regional committee on school district organization shall also hold a public hearing or hearings on any proposed plan: PROVIDED, That three members of the committee or two members of the committee and the educational service district superintendent, or his or her designee, may be designated by the committee to hold such public hearing or hearings and to submit a report thereof to the (~~county~~) regional committee. The (~~county~~) regional committee shall cause to be posted, at least ten days prior to the date appointed for any such hearing, a written or printed notice thereof in at least three prominent and public places in the school districts involved and at the place of hearing.

Sec. 35. Section 28A.56.040, chapter 223, Laws of 1969 ex. sess. as last amended by section 75, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.56.040 are each amended to read as follows:

Subsequent to the holding of a hearing or hearings as (~~aforesaid~~) provided in RCW 28A.56.030, the (~~county~~) regional committee on school district organization shall determine the nonhigh school districts to be included in the plan and the amount of capital funds to be provided by every school district included therein, and shall submit the proposed plan to the state board of education together with such maps and other materials pertaining thereto as the state board may require. The state board shall review such plan, shall approve any plan which in its judgment makes adequate and satisfactory provision for participation by the nonhigh school districts in providing capital funds to be used for the purpose above stated, and shall notify the (~~county~~) regional committee of such action. Upon receipt by the (~~county~~) regional committee of such notification, the educational service district superintendent, or his or her designee, shall notify the board of directors of each school district included in the plan, supplying each board with complete details of the plan and shall state the total amount of funds to be provided and the amount to be provided by each district.

If any such plan submitted by a (~~county~~) regional committee is not approved by the state board, the (~~county~~) regional committee shall be so notified, which notification shall contain a statement of reasons therefor and suggestions for revision. Within sixty days thereafter the (~~county~~) regional committee shall submit to the state board a revised plan which revision shall be subject to approval or disapproval by the state board and the procedural requirements and provisions of law applicable to an original plan submitted to said board.

Sec. 36. Section 28A.56.060, chapter 223, Laws of 1969 ex. sess. as last amended by section 77, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.56.060 are each amended to read as follows:

In the event that a proposal or proposals for providing capital funds as provided in RCW 28A.56.050 is not approved by the voters of a nonhigh school district a second election thereon shall be held within sixty days thereafter. If the vote of the electors of the nonhigh school district is again in the negative, the high school students residing therein shall not be entitled to admission to the high school under the provisions of RCW 28A.58.230, following the close of the school year during which the second election is held: PROVIDED, That in any such case the (~~county~~) regional committee on school district organization shall determine within thirty days after the date of the aforesaid election the advisability of initiating a proposal for annexation of such nonhigh school district to the school district in which the proposed facilities are to be located or to some other district where its students can attend high school without undue inconvenience: PROVIDED FURTHER, That pending such determination by the (~~county~~) regional committee and action thereon as required by law the board of directors of the high school district shall continue to admit high school students residing in the nonhigh school district. Any proposal for annexation of a nonhigh school district initiated by a (~~county~~) regional committee shall be subject to the procedural requirements of this chapter respecting a public hearing and submission to and approval by the state board of education. Upon approval by the state board of any such proposal, the educational service district superintendent shall make an order, establishing the annexation.

Sec. 37. Section 28A.56.070, chapter 223, Laws of 1969 ex. sess. and RCW 28A.56.070 are each amended to read as follows:

In case of failure or refusal by a board of directors of a nonhigh school district to submit a proposal or proposals to a vote of the electors within the time limit specified in RCW 28A.56.050 and 28A.56.060, the (~~county~~) regional committee on school district reorganization may initiate a proposal for annexation of such nonhigh school district as provided for in RCW 28A.56.060.

**NEW SECTION.** Sec. 38. A new section is added to chapter 28A.57 RCW to read as follows:

Any proceeding or hearing now or hereafter initiated, being considered, or in progress pursuant to this chapter as of the effective date of this act or thereafter which is interrupted by a change in committee membership by chapter ... (Senate Bill No. 4142), Laws of 1985 shall continue and be assumed and decided with equal force and effect by the initial regional committees and all other successor committees provided for in RCW 28A.57.032 and 28A.57.055: PROVIDED, That such committees may elect to reconduct proceedings on hearings already in progress and shall reconduct wholly or partially completed hearings required pursuant to this

chapter unless the majority of the committee deciding the matter have either read or heard previously submitted testimony and evidence.

**NEW SECTION, Sec. 39.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

Signed by Representatives Ebersole, Chair; Valle, Vice Chair; Appelwick, Betrozoff, Chandler, Cole, Fuhrman, Holland, P. King, Long, Peery, Rayburn, Rust, Schoon, L. Smith, Taylor, Walker and Wang.

Voting nay: Representative Todd.

Absent: Representatives P. King and Taylor.

Passed to Committee on Rules for second reading.

April 4, 1985

**ESB 4143** Prime Sponsor, Senator Gaspard: Changing provisions relating to student transportation allocation. Reported by Committee on Education

**MAJORITY recommendation:** Do pass. Signed by Representatives Ebersole, Chair; Valle, Vice Chair; Appelwick, Chandler, Cole, Holland, Long, Peery, Rayburn, Rust, L. Smith, Taylor, Todd and Walker.

Voting nay: Representatives Betrozoff and Fuhrman.

Absent: Representatives P. King and Wang.

Passed to Committee on Rules for second reading.

April 4, 1985

**ESB 4152** Prime Sponsor, Senator Rinehart: Including high school students and recent graduates as residents for higher education tuition and fees. Reported by Committee on Higher Education

**MAJORITY recommendation:** Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 29, chapter 261, Laws of 1969 ex. sess. as last amended by section 8, chapter 37, Laws of 1982 1st ex. sess. and RCW 28B.15.520 are each amended to read as follows:

Notwithstanding any other provision of this chapter or chapter 28B.50 RCW as now or hereafter amended (1) boards of trustees of the various community colleges shall waive general tuition fees, operating fees, and services and activities fees for students nineteen years of age or older who are eligible for resident tuition and fee rates as defined in RCW 28B.15.012 through 28B.15.015 and who enroll in a course of study or program which will enable them to finish their high school education and obtain a high school diploma or certificate, and (2) the various community college boards may waive the general tuition, operating and services and activities fees for children after the age of nineteen years of any law enforcement officer or fire fighter who lost his life or became totally disabled in the line of duty while employed by any public law enforcement agency or full time or volunteer fire department in this state.

(3) Boards of trustees of the various community colleges may waive residency requirements for any student who is enrolled in a course of study or program which will enable them to finish their high school education and obtain a high school diploma or certificate."

On page 1, on line 2 of the title, after "RCW" strike "28B.15.012" and insert "28B.15.520"

Signed by Representatives Sommers, Chair; Jacobsen, Vice Chair; Basich, Belcher, D. Nelson, Prince, Unsoeld and Wineberry.

Voting nay: Representatives Allen, Hastings, Miller, Silver and K. Wilson.

Absent: Representatives G. Nelson and Vander Stoep.

Passed to Committee on Rules for second reading.

April 5, 1985

**SB 4155** Prime Sponsor, Senator Halsan: Changing definition of court costs a convicted defendant may be required to pay. Reported by Committee on Judiciary

**MAJORITY recommendation:** Do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Crane, Dellwo, Hargrove, Lewis, Locke, G. Nelson, Padden, Schmidt, Schoon, Tilly, Van Luvan and West.

Absent: Representatives P. King, Niemi, Schmidt and Wang.

Passed to Committee on Rules for second reading.

April 5, 1985

SSB 4190 Prime Sponsor, Committee on Commerce & Labor: Modifying the administrative procedures of the board of industrial insurance appeals board. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Cole, Vice Chair; Betzoff, Chandler, Ebersole, Fisch, Fisher, R. King, O'Brien, Patrick, Sayan, C. Smith, Walker and J. Williams.

Absent: Representative Wang, Chair.

Passed to Committee on Rules for second reading.

April 4, 1985

ESSB 4196 Prime Sponsor, Committee on Commerce & Labor: Providing for special programs to assist the unemployed and underemployed. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Brekke, Bristow, Hine, Holland, J. King, Long, Madsen, G. Nelson, Niemi, Rust, Sayan, Smitherman, Sommers, Taylor, Tilly and B. Williams.

MINORITY recommendation: Do not pass. Signed by Representative Sanders.

Voting nay: Representatives Hastings, Sanders, Silver, L. Smith and Vander Stoep.

Passed to Committee on Rules for second reading.

April 4, 1985

ESB 4206 Prime Sponsor, Senator Gaspard: Changing certain school bidding procedures. Reported by Committee on Education

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

\*Sec. 1. Section 28A.58.135, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 61, Laws of 1980 and RCW 28A.58.135 are each amended to read as follows:

(1) When, in the opinion of the board of directors of any school district, the cost of any furniture, supplies, equipment, building, improvements, or repairs, or other work or purchases, except books, will equal or exceed the sum of ~~((ten))~~ twenty thousand dollars, complete plans and specifications for such work or purchases shall be prepared and notice by publication given in at least one newspaper of general circulation within the district, once each week for two consecutive weeks, of the intention to receive bids therefor and that specifications and other information may be examined at the office of the board or any other officially designated location: PROVIDED, That the board without giving such notice may make improvements or repairs to the property of the district through the shop and repair department of such district when the total of such improvements or repair does not exceed the sum of ~~((forty-five))~~ seventy-five hundred dollars. The cost of any public work, improvement or repair for the purposes of this section shall be the aggregate of all amounts to be paid for labor, material, and equipment on one continuous or interrelated project where work is to be performed simultaneously or in close sequence. The bids shall be in writing and shall be opened and read in public on the date and in the place named in the notice and after being opened shall be filed for public inspection.

(2) Every purchase of furniture, equipment or supplies, except books, the cost of which is estimated to be in excess of ~~((forty-five))~~ seventy-five hundred dollars, shall be on a competitive basis. The board of directors shall establish a procedure for securing telephone and/or written quotations for such purchases. Whenever the estimated cost is from ~~((forty-five))~~ seventy-five hundred dollars up to ~~((ten))~~ twenty thousand dollars, the procedure shall require quotations from at least three different sources to be obtained in writing or by telephone, and recorded for public perusal. Whenever the estimated cost is in excess of ~~((ten))~~ twenty thousand dollars, the public bidding process provided in subsection (1) of this section shall be followed.

(3) Every building, improvement, repair or other public works project, the cost of which is estimated to be in excess of ~~((forty-five))~~ seventy-five hundred dollars, shall be on a competitive bid process. All such projects estimated to be less than ~~((ten))~~ twenty thousand dollars may be awarded to a contractor on the small works roster. The small works roster shall be comprised of all responsible contractors who have requested to be on the list. The board of directors shall establish a procedure for securing telephone and/or written quotations from the contractors on the small works roster to assure establishment of a competitive price and for

awarding contracts to the lowest responsible bidder. Such procedure shall require that a good faith effort be made to request quotations from all contractors on the small works roster who have indicated the capability of performing the kind of public works being contracted. Immediately after an award is made, the bid quotations obtained shall be recorded, open to public inspection, and available by telephone inquiry. The small works roster shall be revised at least once each year by publishing notice of such opportunity in at least one newspaper of general circulation in the district. Responsible contractors shall be added to the list at any time they submit a written request. Whenever the estimated cost of a public works project is ~~((ten))~~ twenty thousand dollars or more, the public bidding process provided in subsection (1) of this section shall be followed.

(4) The contract for the work or purchase shall be awarded to the lowest responsible bidder as defined in RCW 43.19.1911 ~~((PROVIDED, That when bids have been solicited in the manner provided for in subsections (2) or (3) of this section and there is reason to believe that the lowest acceptable bid is not the best obtainable, all bids may be rejected, and the board may call for new bids. Any or all bids may be rejected for good cause))~~ but the board may by resolution reject any and all bids and make further calls for bids in the same manner as the original call. On any work or purchase the board shall provide bidding information to any qualified bidder or his agent, requesting it in person.

(5) In the event of any emergency when the public interest or property of the district would suffer material injury or damage by delay, upon resolution of the board declaring the existence of such an emergency and reciting the facts constituting the same, the board may waive the requirements of this section with reference to any purchase or contract: PROVIDED, That an 'emergency', for the purposes of this section, means a condition likely to result in immediate physical injury to persons or to property of the school district in the absence of prompt remedial action."

Signed by Representatives Ebersole, Chair; Valle, Vice Chair; Betrozoff, Chandler, Cole, P. King, Long, Peery, Rayburn, Rust, Schoon, L. Smith, Taylor, Todd, Walker and Wang.

MINORITY recommendation: Do not pass. Signed by Representative Fuhrman.

Absent: Representatives P. King, Rust and Taylor.

Passed to Committee on Rules for second reading.

April 4, 1985

ESSB 4209 Prime Sponsor, Committee on Commerce & Labor: Regulating persons removing or encapsulating asbestos. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 12 after "air" insert ", but excluding the handling of nonfriable, solid asbestos as long as such asbestos is not subjected to any abrasion or tearing"

On page 2, line 6 after "decontamination." insert "This training is intended to represent the minimum training and education requirement for certification and shall not preclude contractors or employers from providing additional training."

Signed by Representatives Wang, Chair; Cole, Vice Chair; Betrozoff, Chandler, Ebersole, Fisch, Fisher, R. King, O'Brien, Patrick, Sayan, C. Smith, Walker and J. Williams.

Passed to Committee on Rules for second reading.

April 4, 1985

SB 4216 Prime Sponsor, Senator Granlund: Prohibiting dentists from waiving the copayment requirements of a contract. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass. Signed by Representatives Brekke, Chair; Day, Vice Chair; Armstrong, Ballard, Brooks, Dellwo, Dobbs, Leonard, Lewis, Lux, Padden, Scott, Tanner, West and Winsley.

Absent: Representatives Lux, Tanner and S. Wilson.

Passed to Committee on Rules for second reading.

April 5, 1985

ESSB 4228 Prime Sponsor, Committee on Ways & Means: Modifying business and occupation tax provisions on persons taxable on multiple activities. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

\*Sec. 1. Section 5, chapter 3, Laws of 1983 2nd ex. sess. 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, dry beans, lentils, triticale, corn, rye 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, soybeans into soybean oil, or sunflower seeds into sunflower oil; as to such persons the amount of tax with respect to such business shall be equal to the value of the flour or oil manufactured, multiplied by the rate of one-eighth of one percent.

(3) Upon every person engaging within this state in the business of splitting or processing dried peas; as to such persons the amount of tax with respect to such business shall be equal to the value of the peas split or processed, multiplied by the rate of one-quarter of one percent.

(4) 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.

(5) 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.

(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.

(7) Upon every person engaging within this state in the business of slaughtering, breaking and/or processing perishable meat products and/or selling the same at wholesale only and not at retail; as to such persons the tax imposed shall be equal to the gross proceeds derived from such sales multiplied by the rate of one-eighth of one percent through June 30, 1986, and thirty-three one-hundredths of one percent thereafter.

(8) Upon every person engaging within this state in the business of making sales, at retail or wholesale, of nuclear fuel assemblies manufactured by that person, as to such persons the amount of tax with respect to such business shall be equal to the gross proceeds of sales of the assemblies multiplied by the rate of twenty-five one-hundredths of one percent.

(9) Upon every person engaging within this state in the business of manufacturing nuclear fuel assemblies, 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 twenty-five one-hundredths of one percent.

(10) Upon every person engaging within this state in the business of acting as a travel agent; as to such persons the amount of the tax with respect to such activities shall be equal to the gross income derived from such activities multiplied by the rate of twenty-five one-hundredths of one percent.

(11) Upon every person engaging within this state in business as an international steamship agent, international customs house broker, international freight forwarder, vessel and/or cargo charter broker in foreign commerce, and/or international air cargo agent; as to such persons the amount of the tax with respect to only international activities shall be equal to the gross income derived from such activities multiplied by the rate of thirty-three one-hundredths of one percent.

(12) Upon every person engaging within this state in the business of stevedoring and associated activities pertinent to the movement of goods and commodities in waterborne interstate or foreign commerce; as to such persons the amount of tax with respect to such business shall be equal to the gross proceeds derived from such activities multiplied by the rate of thirty-three one hundredths of one percent. Persons subject to taxation under this subsection shall be exempt from payment of taxes imposed by chapter 82.16 RCW for that portion of their business subject to taxation under this subsection. Stevedoring and associated activities pertinent to the conduct of goods and commodities in waterborne interstate or foreign commerce are defined as all activities of a labor, service or transportation nature whereby cargo may be loaded or unloaded to or from vessels or barges, passing over, onto or under a wharf, pier, or similar structure; cargo may be moved to a warehouse or similar holding or storage yard or area to await further movement in import or export or may move to a consolidation freight station and be stuffed, unstuffed, containerized, separated or otherwise segregated or aggregated for delivery or loaded on any mode of transportation for delivery to its consignee. Specific activities included in this definition are: wharfage, handling, loading, unloading, moving of cargo to a convenient place of delivery to the consignee or a convenient place for further movement to

export mode; documentation services in connection with the receipt, delivery, checking, care, custody and control of cargo required in the transfer of cargo; imported automobile handling prior to delivery to consignee; terminal stevedoring and incidental vessel services, including but not limited to plugging and unplugging refrigerator service to containers, trailers, and other refrigerated cargo receptacles, and securing ship hatch covers.

(13) Upon every person engaging within this state in the business of disposing of low-level waste, as defined in RCW 43.145.010; as to such persons the amount of the tax with respect to such business shall be equal to the gross income of the business, excluding any fees imposed under chapter 43.21F RCW, multiplied by the rate of thirty percent.

If the gross income of the taxpayer is attributable to activities both within and without this state, the gross income attributable to this state shall be determined in accordance with the methods of apportionment required under RCW 82.04.460.

(14) Upon every person engaging within this state as an insurance agent, insurance broker, or insurance solicitor licensed under chapter 48.17 RCW; as to such persons, the amount of the tax with respect to such licensed activities shall be equal to the gross income of such business multiplied by the rate of one percent.

Sec. 2. Section 82.04.270, chapter 15, Laws of 1961 as last amended by section 4, chapter 172, Laws of 1981 and RCW 82.04.270 are each amended to read as follows:

(1) Upon every person except persons taxable under subsections (1) or (8) of RCW 82.04.260 engaging within this state in the business of making sales at wholesale; as to such persons the amount of tax with respect to such business shall be equal to the gross proceeds of sales of such business multiplied by the rate of forty-four one-hundredths of one percent.

(2) The tax imposed by this section is levied and shall be collected from every person engaged in the business of distributing in this state articles of tangible personal property, owned by them from their own warehouse or other central location in this state to two or more of their own retail stores or outlets, where no change of title or ownership occurs, the intent hereof being to impose a tax equal to the wholesaler's tax upon persons performing functions essentially comparable to those of a wholesaler, but not actually making sales: PROVIDED, That the tax designated in this section may not be assessed twice to the same person for the same article. The amount of the tax as to such persons shall be computed by multiplying forty-four one-hundredths of one percent of the value of the article so distributed as of the time of such distribution(~~;- PROVIDED- That persons engaged in the activities described in this subsection shall not be liable for the tax imposed if by proper invoice it can be shown that they have purchased such property from a wholesaler who has paid a business and occupation tax to the state upon the same articles. This proviso shall not apply to purchases from manufacturers as defined in RCW 82.04.110~~)). The department of revenue shall prescribe uniform and equitable rules for the purpose of ascertaining such value, which value shall correspond as nearly as possible to the gross proceeds from sales at wholesale in this state of similar articles of like quality and character, and in similar quantities by other taxpayers: PROVIDED FURTHER, That delivery trucks or vans will not under the purposes of this section be considered to be retail stores or outlets.

NEW SECTION. Sec. 3. A new section is added to chapter 82.04 RCW to read as follows:

(1) For purposes of this chapter, 'wholesale sale,' 'sale at wholesale,' 'retail sale,' and 'sale at retail' do not include the sale of precious metal bullion or monetized bullion.

(2) In computing tax under this chapter on the business of making sales of precious metal bullion or monetized bullion, the tax shall be imposed on the amounts received as commissions upon transactions for the accounts of customers over and above the amount paid to other dealers associated in such transactions, but no deduction or offset is allowed on account of salaries or commissions paid to salesmen or other employees.

(3) For purposes of this section, 'precious metal bullion' means any elementary precious metal which has been put through a process of smelting or refining, including, but not limited to, gold, silver, platinum, rhodium, and palladium, and which is in such state or condition that its value depends upon its contents and not upon its form. For purposes of this section, 'monetized bullion' means coins or other forms of money manufactured from gold, silver, or other metals and heretofore, now, or hereafter used as a medium of exchange under the laws of this state, the United States, or any foreign nation, but does not include coins or money sold to be manufactured into jewelry or works of art.

NEW SECTION. Sec. 4. A new section is added to chapter 82.04 RCW to read as follows:

(1) In computing tax there may be deducted from the measure of tax amounts derived from sales of fuel for consumption outside the territorial waters of the United States, by vessels used primarily in foreign commerce.

(2) Nothing in this section shall be construed to imply that amounts which may be deducted under this section were taxable under Title 82 RCW prior to the enactment of this section.

Sec. 5. SECTION 1, chapter 98, Laws of 1980 as amended by section 5, chapter 284, Laws of 1983 and by section 180, chapter 46, Laws of 1983 1st ex. sess. and RCW 82.27.010 are each reenacted and amended to read as follows:

As used in this chapter, the following terms have the meanings indicated unless the context clearly requires otherwise.

(1) ~~((“Food fish and shellfish” has the meaning ascribed to it by RCW 75.08.011 and includes byproducts and also parts of food fish and shellfish, whether fresh, frozen, canned, or otherwise.))~~ ‘Enhanced food fish’ includes all species of food fish, shellfish, and anadromous game fish originating within the territorial and adjacent waters of Washington and salmon originating from within the territorial and adjacent waters of Oregon, Washington, and British Columbia, and all troll-caught Chinook salmon originating from within the territorial and adjacent waters of southeast Alaska. As used in this subsection, ‘adjacent’ waters of Oregon, Washington, and Alaska are those comprising the United States fish conservation zone; ‘adjacent’ waters of British Columbia are those comprising the Canadian two hundred mile exclusive economic zone; and ‘southeast Alaska’ means that portion of Alaska south and east of Cape Suckling to the Canadian border. For purposes of this chapter, point of origination is established by a document which identifies the product and state or province in which it originates, including, but not limited to fish tickets, bills of lading, invoices, or other documentation required to be kept by governmental agencies.

(2) ‘Commercial’ means related to or connected with buying, selling, bartering, or processing.

(3) ‘Possession’ means the control of ~~enhanced food fish((-shellfish, and anadromous game fish))~~ by the owner and includes both actual and constructive possession. Constructive possession occurs when the person has legal ownership but not actual possession of the enhanced food fish((-shellfish, or anadromous game fish)).

(4) ‘Anadromous game fish’ means steelhead trout and anadromous cutthroat trout and Dolly Varden char and includes byproducts and also parts of anadromous game fish, whether fresh, frozen, canned, or otherwise.

(5) ‘Landed’ means the act of physically placing enhanced food fish on any land within or without the state of Washington including wharves, piers, or any such extensions therefrom.

Sec. 6, Section 2, chapter 98, Laws of 1980 as last amended by section 17, chapter 3, Laws of 1983 2nd ex. sess. and RCW 82.27.020 are each amended to read as follows:

(1) In addition to all other taxes, licenses, or fees provided by law there is established an excise tax on the commercial possession of enhanced food fish((-shellfish, and anadromous game fish)) as provided in this chapter. The tax is levied upon and shall be collected from the owner of the enhanced food fish((-shellfish, or anadromous game fish)) whose possession constitutes the taxable event. The taxable event is the first possession in Washington by an owner ~~((after the food fish, shellfish, or anadromous game fish have been landed)).~~ Processing and handling of enhanced food fish((-shellfish, and anadromous game fish)) by a person who is not the owner is not a taxable event to the processor or handler.

(2) A person in possession of enhanced food fish((-shellfish, and anadromous game fish)) and liable to this tax may deduct from the price paid to the person from which the enhanced food fish((-shellfish)) (except oysters)(~~(-or anadromous game fish)~~) are purchased an amount equal to a tax at one-half the rate levied in this section upon these products.

(3) The measure of the tax is the ~~((price paid by the first person in possession))~~ value of the enhanced food fish((-shellfish, or anadromous game fish)) at the point of landing. ((If the food fish, shellfish, or anadromous game fish are acquired other than by purchase or are purchased under conditions where the purchase price does not represent the value of the food fish, shellfish, or anadromous game fish or these products are transferred outside the state without sale, the measure of the tax shall be determined as nearly as possible according to the selling price of similar products of like quality and character under rules adopted by the department of revenue.))

(4) The tax shall be equal to the measure of the tax multiplied by the rates for enhanced food fish((-shellfish, and anadromous game fish)) as follows:

- (a) Chinook, coho, and chum salmon and anadromous game fish: Five percent.
- (b) Pink and sockeye salmon: Three percent.
- (c) Other food fish and shellfish, except oysters: Two percent.
- (d) Oysters: Seven one-hundredths of one percent.

(5) An additional tax is imposed equal to the rate specified in RCW 82.02.030 multiplied by the tax payable under subsection (4) of this section.

Sec. 7, Section 3, chapter 98, Laws of 1980 and RCW 82.27.030 are each amended to read as follows:

The tax imposed by RCW 82.27.020 shall not apply to: (1) Enhanced food fish ((or shellfish previously landed)) originating outside the state which ((is shipped into)) enters the state as (a) frozen enhanced food fish ((or frozen shellfish)) or (b) enhanced food fish ((or shellfish)) packaged for retail sales; (2) fresh net caught food fish to the extent provided under an interstate agreement entered into under RCW 82.27.080; ((and)) (3) the growing, processing, or dealing with food fish which are raised from eggs or fry and which are under the physical control of the grower at all times until being sold or harvested; and (4) food fish, shellfish, anadromous game fish, and byproducts or parts of food fish shipped from outside the state which enter the state, except as provided in RCW 82.27.010, provided the taxpayer must have documentation



showing shipping origination of fish exempt under this subsection to qualify for exemption. Such documentation includes, but is not limited to fish tickets, bills of lading, invoices, or other documentation required to be kept by governmental agencies.

Sec. 8. Section 4, chapter 98, Laws of 1980 and RCW 82.27.040 are each amended to read as follows:

A credit shall be allowed against the tax imposed by RCW 82.27.020 upon enhanced food fish ((or shellfish)) with respect to any tax ((legally imposed and)) previously paid ((to another state by the taxpayer upon the same food fish or shellfish purchased in the other state)) on that same enhanced food fish to any other legally established taxing authority. To qualify for a credit, the owner of the enhanced food fish must have documentation showing a tax was paid in another jurisdiction.

NEW SECTION. Sec. 9. A new section is added to chapter 82.04 RCW to read as follows:

(1) There is levied and shall be collected from every person for the act or privilege of engaging in business activities, as a part of the tax imposed under RCW 82.04.240 and 82.04.270, an additional tax equal to one percent multiplied by the tax payable under RCW 82.04.240 and 82.04.270.

(2) There is also levied and shall be collected from every person for the act or privilege of engaging in the business activity of making sales at retail which are exempt from the tax imposed under chapter 82.08 RCW by reason of RCW 82.08.0261 or 82.08.0262, as a part of the tax imposed under RCW 82.04.250, an additional tax equal to one percent multiplied by the tax payable on those activities under RCW 82.04.250.

(3) To facilitate collection of these additional taxes, the department of revenue is authorized to adjust the basic rates of persons to which this section applies in such manner as to reflect the amount to the nearest one-thousandth of one percent of the additional tax hereby imposed, adjusting ten-thousandths equal to or greater than five ten-thousandths to the greater thousandth.

(4) This section shall expire July 1, 1986.

NEW SECTION. Sec. 10. 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. 11. 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, 1985."

On page 1, line 1 of the title, after "taxation," strike the remainder of the title and insert "amending RCW 82.04.260, 82.04.270, 82.27.020, 82.27.030, and 82.27.040; reenacting and amending RCW 82.27.010; adding new sections to chapter 82.04 RCW; providing an effective date, and declaring an emergency."

Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Brekke, Bristow, Hine, J. King, Locke, Madsen, Niemi, Rust, Sayan, Smitherman and Sommers.

MINORITY recommendation: Do not pass. Signed by Representatives Holland, Long, Sanders, Silver, L. Smith, Tilly and B. Williams.

Voting nay: Representatives Hastings, Holland, Long, G. Nelson, Sanders, Silver, L. Smith, Taylor, Tilly, Vander Stoep and B. Williams.

Passed to Committee on Rules for second reading.

April 4, 1985

SSB 4241 Prime Sponsor, Committee on Ways & Means: Authorizing the state employees' insurance board to disapprove certain panel medicine group plans. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Brekke, Bristow, Hastings, Hine, Holland, J. King, Locke, Long, Madsen, G. Nelson, Niemi, Rust, Sanders, Sayan, Silver, L. Smith, Smitherman, Sommers, Taylor, Tilly, Vander Stoep and B. Williams.

Passed to Committee on Rules for second reading.

April 5, 1985

ESB 4259 Prime Sponsor, Senator Fleming: Prohibiting discrimination on the basis of sex in places of public resort, accommodation, assemblage, or amusement. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Scott, Vice Chair; Appelwick, Crane, Dellwo, Hargrove, P. King, Lewis, Locke, G. Nelson, Niemi, Padden, Schmidt, Schoon, Tilly, Van Luven and West.

Absent: Representatives Appelwick, Niemi, Schoon and Wang.

Passed to Committee on Rules for second reading.

April 5, 1985

SSB 4386 Prime Sponsor, Committee on Governmental Operations: Revising provisions relating to the bonded indebtedness of a public library. Reported by Committee on Local Government

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 10 after "annexation" insert "and in the resolution of the district consenting to annexation"

Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Allen, Bristow, Brough, Doty, Ebersole, Hine, Isaacson, May, Patrick, Rayburn, Winsley and Zellinsky.

Absent: Representatives Doty, Ebersole, Smitherman and Winsley.

Passed to Committee on Rules for second reading.

April 5, 1985

ESSB 4399 Prime Sponsor, Committee on Governmental Operations: Creating a local governance study commission. Reported by Committee on Local Government

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The legislature finds state statutes allocating governmental powers, duties, and relationships were first enacted nearly a century ago and reflect ideas of their time. The legislature further finds that Washington state was a rural, agrarian society at that time, and that cities were relatively small, surrounded by rural areas, and served as a commercial and social center for those areas.

The legislature finds that the state created counties as political and administrative subdivisions of itself, and allowed for the creation of cities by the local citizenry to provide such additional municipal services as might be desired in areas of greater population density. The legislature further finds that in order to forestall imprudent or hasty creation of local governments, the process was deliberately made somewhat difficult. The legislature also finds that cities and counties were provided with differing tax structures, reflective of their differing governmental and service roles.

The legislature finds that, contrary to expectation, urban development has occurred not only within cities, but around cities and in clusters remote from any city, and that, in 1985, nearly half of the state's population lives in unincorporated, but largely urbanized areas. The legislature further finds that while this situation is the result of a number of factors, the unintended effects of the policies of various levels of government played a major role in creating it.

The legislature finds that some services are best delivered on a city-wide basis, some services are best delivered on a county-wide basis, while others might best be delivered on a greater than city, less than county-wide basis, and some might best be provided on a multi-county basis. The legislature further finds that in many cases, service needs have no relationship to political jurisdictions' boundary lines. The legislature also finds that there is uncertainty as to the proper role of some units of local government in rendering basic public services. The legislature further finds that cities, counties, and special purpose districts rendering basic municipal services spend approximately two billion dollars per year in providing such services and that there is a state interest in the efficient and effective provision of local government services.

Therefore, the legislature finds that there is a need to examine the present demographic and governmental service provision situation, in order to determine the manner in which local public services are presently delivered and funded in Washington state, the public policies which have led to the present situation, and the manner in which each contributed to it. The legislature further finds that there is a need to examine the practices of other states in such matters and in terms of allocations of responsibility, authority, and funding among various levels and agencies of government. The legislature also finds that there is a need to examine the policies and practices of other states in providing for city incorporation and annexation.

NEW SECTION. Sec. 2. For purposes of sections 3 through 6 of this act, 'commission' means the local governance study commission created in section 3 of this act.

NEW SECTION. Sec. 3. There is hereby created a local governance study commission to consist of the following:

(1) Nineteen voting members appointed by the governor consisting of:

(a) Eight members of the state legislature, four nominated by the Speaker of the House of Representatives, four nominated by the President of the Senate, two from each caucus of the respective house;

(b) Four members nominated by the association of Washington cities or its successor;

(c) Four members nominated by the Washington state association of counties or its successor;

(d) One member nominated by the Washington state association of sewer districts;

(e) One member nominated by the Washington state association of water districts; and

(f) One member nominated by the Washington association of fire districts.

(2) Three members serving in an ex officio nonvoting capacity:

(a) The executive director of the association of Washington cities or its representative;

(b) The executive director of the Washington state association of counties or its representative; and

(c) The director of the department of community development, who shall serve as chair of the commission.

(3) Commission members shall serve without pay, at the pleasure of the governor. Nonlegislative members shall be paid travel expenses incurred in their travel to and from meetings of the commission and while attending all meetings of the commission in accordance with RCW 43.03.050 and 43.03.060. Legislative members shall be paid travel expenses incurred in their travel to and from meetings of the commission and while attending all meetings of the commission in accordance with RCW 44.04.120.

NEW SECTION. Sec. 4. The commission shall:

(1) Identify and examine the present demographic and governmental service provision of cities, counties, and special purpose districts together with an examination of the present manner in which revenues are received for the provision of services by the various jurisdictions;

(2) Examine the public policies and history that led to the current situation;

(3) Analyze why policies that are identified in the study had an impact on growth and development in the state of Washington and why they contributed to the current situation;

(4) Examine the policies, practices, and experiences in other states in regard to allocating responsibility, revenue authority, and responsiveness to provide governmental services;

(5) Create advisory committees of representatives of special purpose districts, to advise the commission on issues affecting the operation of these districts, and members of the private sector;

(6) Develop recommended policy, statutory, and constitutional changes as may be determined would serve to better define the appropriate roles and activities of cities, counties, and special purpose districts and their interrelationship to one another; and

(7) Submit to the governor and the legislature a report containing the commission's findings, conclusions, and recommendations by November 1, 1986.

NEW SECTION. Sec. 5. The department shall provide the necessary support to the commission to carry out the purposes of sections 2 through 4 this act. The department may employ such staff as is necessary to carry out the purposes of sections 2 through 4 of this act. The provisions of chapter 41.06 RCW do not apply to such staff.

NEW SECTION. Sec. 6. A new section is added to chapter 82.44 RCW as follows:

For the biennium beginning July 1, 1985, distributions of motor vehicle excise tax receipts to counties, cities, and towns under RCW 82.44.150 shall be altered as follows:

(1) Prior to placing moneys in the county sales and use tax equalization account under RCW 82.14.200, an amount equal to twenty thousand eight hundred thirty-three dollars from amounts otherwise to be placed in this account shall be placed into the account created under section 7 of this act, for each of the quarterly distributions on July 1, 1985, October 1, 1985, January 1, 1986, April 1, 1986, July 1, 1986, and October 1, 1986.

(2) Prior to distributing the moneys to cities and towns under RCW 82.44.150(3)(a), an amount equal to twenty thousand eight hundred thirty-three dollars from amounts otherwise to be distributed to cities and towns shall be placed into the account created under section 7 of this act, for each of the quarterly distributions on July 1, 1985, October 1, 1985, January 1, 1986, April 1, 1986, July 1, 1986, and October 1, 1986.

This section shall expire June 30, 1987.

NEW SECTION. Sec. 7. A new section is added to chapter 43.63A RCW to read as follows:

The local government study commission account is hereby established in the state treasury. Moneys shall be placed into the local government study commission account as provided in section 6 of this act to be used by the department of community development for the biennium ending June 30, 1987, to carry out the purposes of sections 1 through 5 of this act.

This section shall expire June 30, 1987.

NEW SECTION. Sec. 8. There is appropriated from the local government study commission account to the department of community development for the biennium ending June 30, 1987, the sum of two hundred forty-nine thousand nine hundred ninety-six dollars, or so much thereof as may be necessary, to carry out the purposes of this act.

NEW SECTION. Sec. 9. Sections 1 through 5 of this act shall expire June 30, 1987.

NEW SECTION, Sec. 10. Sections 2 through 5 of this act are each added to chapter 43.63A RCW.

NEW SECTION, Sec. 11. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

NEW SECTION, Sec. 12. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

On page 1, line 1 of the title, after "commission;" strike the remainder of the title and insert "adding new sections to chapter 43.63A RCW; adding a new section to chapter 82.44 RCW; creating a new section; making an appropriation; providing an expiration date; and declaring an emergency."

Signed by Representatives Haugen, Chair; Nutley, Vice Chair; Allen, Bristow, Brough, Doty, Ebersole, Hine, Isaacson, May, Rayburn, Winsley and Zellinsky.

Voting nay: Representative Patrick.

Absent: Representative Smitherman.

Passed to Committee on Rules for second reading.

April 4, 1985

SJM 109 Prime Sponsor, Senator Goltz: Petitioning the U. S. Department of Energy to shut down operations at the PUREX plant under certain circumstances. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after page 1, line 4 and insert the following:

"We, your Memorialists, the Senate and House of Representatives of the State of Washington, in legislative session assembled, respectfully represent and petition as follows:

WHEREAS, The release of radioactive materials into the environment can have detrimental effects upon the health and safety of the citizens of the State of Washington; and

WHEREAS, On January 25, 1984, the PUREX plant was shut down to investigate an instrument reading which indicated a possible abnormal release of radioactive material; and

WHEREAS, The monitoring system which recorded the reading was found to be in need of adjustment; and

WHEREAS, There was a delay in informing the public of the January 1984 unusual occurrence at the PUREX plant; and

WHEREAS, The public is dependent upon the federal government for accurate and timely environmental measurements of emissions released from defense-related operations;

NOW, THEREFORE, Your Memorialists respectfully pray that the United States Department of Energy provide timely, complete, and accurate disclosure to the public of all unusual occurrences involving actual and apparent releases of radioactive materials at the PUREX plant on the Hanford reservation; and

BE IT RESOLVED, That the United States Department of Energy shut down operations at the PUREX plant when any release exceeds established limits or when monitoring devices malfunction and that the plant shall remain nonoperational until the unusual occurrence is remedied; and

BE IT FURTHER RESOLVED, That copies of this Memorial be immediately transmitted to the Honorable Ronald Reagan, President of the United States, the secretary of the United States Department of Energy, and each member of Congress from the State of Washington."

Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong, Gallagher, Jacobsen, Long, Madsen, Miller, Nealey, Sutherland, Unsoeld and Van Luven.

Voting nay: Representatives Barnes, Bond and Isaacson.

Absent: Representative Van Luven.

Passed to Committee on Rules for second reading.

April 4, 1985

SJM 110 Prime Sponsor, Senator Bauer: Petitioning Congress to support a federal college savings plan. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Sommers, Chair; Jacobsen, Vice Chair; Allen, Basich, Belcher, Miller, D. Nelson, G. Nelson, Prince, Silver, Unsoeld, K. Wilson and Wineberry.

Absent: Representatives Allen, Miller, D. Nelson, G. Nelson and Vander Stoep.

Passed to Committee on Rules for second reading.

April 4, 1985

SJM 111 Prime Sponsor, Senator Bauer: Petitioning for federal action to increase minority participation in graduate education programs. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Sommers, Chair; Jacobsen, Vice Chair; Allen, Basich, Belcher, Miller, D. Nelson, G. Nelson, Prince, Silver, Unsoeld, K. Wilson and Wineberry.

Absent: Representatives Allen, Miller, G. Nelson and Vander Stoep.

Passed to Committee on Rules for second reading.

April 4, 1985

SJM 127 Prime Sponsor, Senator Bottiger: Petitioning Congress to undertake a study on vessel air emissions. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Wineberry, Vice Chair; Baugher, Betzoff, Bond, Fisch, Fisher, Gallagher, Hankins, Haugen, Kremen, Patrick, Prince, Sutherland, Tanner, Thomas, Valle, Van Luven, K. Wilson and Zellinsky.

Voting nay: Representatives Brough, Lundquist, C. Smith and J. Williams.

Absent: Representative Tanner.

Passed to Committee on Rules for second reading.

April 5, 1985

SCR 114 Prime Sponsor, Senator Warnke: Establishing the joint select committee on industrial insurance. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendments:

On page 2, after line 8 insert the following:

"(7) The classification of occupations and industries for the purpose of fixing industrial insurance premium rates;"

Renumber the remaining subsections consecutively.

On page 2, line 26 after "Senate;" insert "at least"

On page 2, line 29 after "Speaker;" insert "at least"

On page 2, line 31 after "(3) The" strike "chairmen" and insert "chairs"

Signed by Representatives Cole, Vice Chair; Betzoff, Chandler, Ebersole, Fisch, Fisher, R. King, O'Brien, Patrick, Sayan, C. Smith, Walker and J. Williams.

Absent: Representative Wang, Chair.

Passed to Committee on Rules for second reading.

#### MOTION

On motion of Mr. Dellwo, the House adjourned until 9:00 a.m., Monday, April 7, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk

